

TOWN OF BELL, BAYFIELD COUNTY, WISCONSIN

Ordinance Regulating Transient Merchants Located within the Town of Bell Amended Ordinance No. 01-17

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TOWN OF BELL, BAYFIELD COUNTY, WISCONSIN

Ordinance Regulating Transient Merchants Located within the Town of Bell Amended Ordinance No. 01-17

The Town Board of the Town of Bell, Bayfield County, State of Wisconsin, being duly assembled at a regular Town Board meeting on May 14, 2019, does hereby ordain that the Town of Bell Ordinance Regulating Transient Merchants Located within the Town of Bell, Ordinance No. 01-17, is rescinded and recreated to read as follows:

SECTION (1) – DEFINITIONS

- A. "Town" means the Town of Bell, Bayfield County, Wisconsin. "Town Board" means the Town of Bell, Bayfield County, Wisconsin Board of Supervisors.
- B. "Peddler" means an individual, whether a resident of the Town or not, traveling by foot, bike, automobile, motor truck, ATV/UTV or other motorized craft, ship, boat, kayak, canoe, paddleboard or like vessel, or any other means of conveyance, from place to place, house to house, business to business, or from street to street for the sale of, as well as the selling, offering for sale or taking or attempting to take orders for the sale of goods, wares and merchandise, personal property of any nature whatsoever for immediate delivery or for services to be performed immediately, including for rentals, tours, demonstrations and/or instruction or use of bikes, ships, boats, kayaks, canoes, paddleboards or like vessels, whether or not such individual has, carries or exposes for sale a sample of the subject of such sale or not or whether he is collecting advance payment on such sales or not.
- C. "Solicitor" means any individual, whether a resident of the Town or not, travelling by foot, bike, automobile, motor truck, ATV/UTV or other motorized craft, ship, boat, kayak, canoe, paddleboard or like vessel, or via any electronic means or any other means of conveyance, from place to place, house to house, street to street, through the water or via websites, or other marketing; using the Internet for the sale of, as well as the selling, offering for sale or taking or attempting to take orders for: (1) sale of goods, wares and merchandise, personal property of any nature whatsoever, for future delivery whether or not such individual has, carries or exposes for sale a sample of the subject of such sale; (2) or for services to be performed in the future whether or not such individual is collecting advance payment on such sales or not; or (3) a request, whether vocalized or not, for a donation other than in response to an inquiry from another person.
- D. "Solicit" means to request, by the spoken, written, or printed word, or by other means of communication, an immediate donation or transfer of money or another thing of value from another person, regardless of the solicitor's purpose or

intended use of the money or other thing of value, and regardless of whether consideration is offered.

- E. "Merchandise." Merchandise shall be used in its broadest sense and includes property of every kind.
- F. "Park when prohibited" means to stand an occupied or unoccupied vehicle, ATV/UTV or other motorized craft, or bike other than temporarily while loading or unloading merchandise or passenger, or to have a stationary occupied or unoccupied ship, boat, kayak, canoe, paddleboard or similar vessel other than for less than five minutes for loading or unloading passengers. "Park when prohibited" shall also include leaving a vehicle, boat trailer, ship, boat, kayak canoe, paddleboard or similar vessel at the boat ramp at the Town Marina or in any area in the Town Marina and Town Waterfront Park Area not designated for that purpose, including all grassy areas.
- G. "Public Area" means all areas to which the public has access and includes, but is not limited to, a sidewalk, street, highway, park, beach, parking lot, alleyway, pedestrian way, or the common area of a commercial building, residence or Town Marina or Marina Complex.
- H. "Services." Services shall be used in its broadest sense and includes any work done for the benefit of another person, the instruction or transport of any person in exchange for payment or the rental or temporary use of any equipment or vessels.
- I. "Vendor" means any individual, whether a resident of the Town or not, who offers for sale food, beverages, goods, merchandise, delivery, or for services to be performed immediately or in the future, from a certain location that is not within a building or a structure for which a certificate of occupancy issued by Wisconsin State Agency is required by the Town. This term shall not apply to businesses that operate from within a building or structure within the Town for which a certificate of occupancy issued by Wisconsin State Agency is required and also displays or sells food, beverages, goods, merchandise, etc., directly outside the building or structure in which the business operates and shall not apply to businesses that operate from within a building or structure within the Town for which a certificate of occupancy issued by Wisconsin State Agency is required and who also provides services within the Town that relate to the use, rental, instruction or demonstration of goods sold within the building or structure for which a certificate of occupancy has been issued by the Wisconsin State Agency.
- J. "Goods Vendor" is a Vendor for any good or service, other than kayak, motorboat, or sailboat tours or rentals, such as: ATV rental/tours, horseback rides, massage, yoga – on the beach – or Others by special request.
- K. "CUP" means Commercial Use Permit.

SECTION (2) – COMMERCIAL USE PERMIT (CUP) REQUIRED Permit

It is unlawful for any peddler, solicitor, or vendor to engage in the business of selling, displaying, offering for sale of any goods, merchandise or services of any kind within the Town without first obtaining a CUP from the Town.

CUP Exemptions. The following are excluded from CUP provisions:

- A. Newspaper carriers;
- B. Farmers:
 - a. Farmers who sell agricultural products that were raised or grown by them;
 - b. Cornucopia Farmer's Market – Local artist, local weavers, local potters, local soap makers, local jewelry makers selling their handmade items utilizing local products;
- C. Political speech;
- D. Canvassers who attempt only to solicit political support or to determine opinions or sentiments;
- E. Peddlers, Solicitors, and/or Vendors operating within a designated Public Area in connection with a Special Event pre-approved by the Town. The appropriate body organizing the Special Event must first apply and receive a Special Event permit anticipating and approving such vendor sales for the Special Event; (found where? Meaning website or?)
- F. Sales made to established businesses by commercial travelers or sales agents in the unusual course of business, or to sales made under authority and by order of law;
- G. Individuals traveling to businesses or houses at the invitation of the resident or the owner;
- H. Any operation which is exempted by state or federal statute from this chapter, only to the extent of such applicable exemption;
- I. Children under 16 that are residents of the Town; or
- J. Auction/Estate sales in the Town conducted for public purchase under state law.

Commented [JE1]: This pertains to Corny Day or any other town sanctioned event.

Commented [RL2]: Yes, this applies to events described above by Jackie, the question is where is such a permit or permit request and any requirements, if any, found. Should there be a form for these Peddlers, Solicitors, Vendors to fill out and have on file - **keep simple** but just to have a record. Any restrictions on these Peddlers.....? in terms of what they're providing?

SECTION (3) – USE OF STATE HIGHWAYS, TOWN MARINA, TOWN ROADS, AND TOWN PARKS PROHIBITED

It shall be unlawful for any Peddler, Solicitor, or Vendor to engage in business on any State Highway within the Town, Town Marina, Town roads, or Town Park unless permitted pursuant to this ordinance.

Use of State Highways, Town Marina and Town Road Exemptions. Peddlers, Solicitors, or Vendors may engage in business or park on a State/County Highway, Town Marina, Town Parks, or Town roads in connection with a special event approved by the Town. It shall be unlawful for any Peddler, Solicitor or Vendor to Park When Prohibited and any Peddler, Solicitor or Vendor doing so may be subject to the penalties provided in this ordinance and the Peddler, Solicitor or Vendor's permit may be revoked by the Town.

SECTION (4) – USE OF TOWN PARKS, MARINA, OR BEACHES

A Peddler, Solicitor, or Vendor may not engage in business in Town parks, Marina or beaches without a CUP issued by the Town.

SECTION (5) – USE OF PRIVATE PROPERTY

All Peddlers, Solicitors and Vendors must obtain a CUP as provided herein prior to operating on private property in addition to any necessary permit from Bayfield County Planning and Zoning.

SECTION (6) – SPECIAL TOWN CONDITIONS

The following conditions apply to all CUPs issued by the town:

- A. **Performance:** The Vendor agrees to carry out the services authorized under this CUP in a safe, professional, and courteous manner that causes no damage to the natural/cultural resources or facilities within the Town.
- B. **Employee Training and Responsibility:** The Vendor must ensure that all employees working in the Town are informed of the conditions of this CUP and are adequately trained to safely and competently perform the services authorized and comply with the conditions of this CUP. In the event of a violation or infraction, responsibility and liability will generally be placed upon the holder of the CUP, including citations, warnings, and fines. However, the Town retains the right to cite, warn, and fine employees associated with a CUP Holder.
- C. **Behavior and Conduct:** The Vendor and all persons employed by the Vendor who work within Town are required to exercise professional courtesy in their interactions with clients, visitors, Town employees, volunteers, and other

commercial operators. The Vendor will routinely review and promptly correct the conduct of any of its employees whose actions or activities are considered by the Town to be inconsistent with (1) the safety and enjoyment of Town residents and landowners, visitors/ tourists, and clients; (2) the protection of Town resources and/or facilities; and/or (3) the professional reputation of the Town.

- D. **Third Party Aggregators:** A Third-Party Aggregator is defined as an online merchant that sells a product or service that they do not own. CUP Holders may not use any Third-Party Aggregator website that has not been approved in writing by the Town. To request permission to use a Third-Party Aggregator to sell trips and/or services that occur within the Town, the Vendor must submit a written request to the Town Clerk that includes the Third-Party Aggregator website URL and a copy of the Terms of Agreement for use of the Third-Party Aggregator service. Please be advised that the evaluation process and final decision may take up to 45 days, so the Vendor must plan accordingly.
- E. **Provision of Services:** Only the Vendor and their registered employees may provide the services authorized by this CUP. The Vendor may not sub-contract or otherwise allow outside entities and/or non-registered employees to provide any services within the park boundary. The Vendor may not employ, partner, or contract with any individual who is a revoked CUP Vendor.
- F. **Change of Business Status:** As stated in Service wide Condition #8 – Transfer: A CUP may not be transferred or assigned without the written consent of the Town. If the Vendor is considering a change in the business name, ownership, or legal structure, the Vendor must notify the Town Clerk at tobclerk@cheqnet.net at least 45 days before the intended change is to take effect. Failure to do so will result in immediate suspension of the CUP until the changes are evaluated by the Town.
- G. **Change of Business Contact Information:** Vendor must notify the Town within 10 days of any changes in contact information (mailing address, physical address, website URL, telephone/fax numbers, or email address).
- H. **Use of Area:** The Vendor will not use or be assigned any facilities or portions thereof, located within the Town, except as allowed to the general public. For example, a picnic table in a day use area that is intended for recreational use by visitors may not be converted to use as office space for the CUP Vendor. This CUP does not authorize priority use of Town areas. The Vendor is prohibited from blocking access or impeding the flow of traffic along any roads, trails, walkways, greenways, parking lots, stairwell access, beaches, and/or waterways of any Town facilities.
- I. **Camping:** The Vendor and/or employees registered under this CUP will not camp overnight within the boundaries of the Town except if registered in Town or private Campground. Vendor and registered employees must comply with all

camping rules as provided with the Town of Bell Camping Ordinance dated 6/11/1975

- J. **Waste:** The Vendor is responsible for the removal of all waste and trash associated with the commercial activity and is prohibited from depositing commercial waste into the Town provided trash containers.
- K. **Employment of Minors:** Vendors with employees under the age of 18 are required to administer the employment of minor age children in accordance with federal and/or State of Wisconsin Child Labor Laws. The following apply concerning minor age employees registered under this CUP while working within the Town:
 - a. All minor age employees will be at all times under constant, close supervision of a responsible adult employee registered under this CUP.
 - b. Minor age employees will not operate any motorized vessels, heavy machinery, or heavy equipment.
 - c. Minor age employees will not engage in any marine salvage activity or underwater operation.
- L. **Vehicle/Vessel Signage:** Vehicles and vessels used to provide services in the Town are required to be easily identifiable by signage. Signage may not state, imply, or refer to pricing, services, and/or products provided. Signage will comply with the established guidelines listed below:
 - a. Vessels and Vehicles must be marked with company logo or lettering for identification purposes.
 - i. Logo or lettering must be readily identifiable to the naked eye at a distance of 50 feet.
 - ii. Minimum size of lettering: 2½ inch.
 - iii. Signage must be visible, clear, legible and of contrasting color.
 - iv. Logos must be of a unique design and a minimum size of 5 inches by 5 inches.
 - v. Identification is limited to company/organization name, logo, and telephone number and/or as required by state and/or federal motor carrier regulations.
 - vi. Signage should be centered on the front door or side window of the vehicle and located in a non- obstructed location on the sides (hull, cabin, or roof) of the vessel.
 - vii. Signage should be limited to two signs, one per side, tastefully and professionally appropriate to the size and type of vehicle/vessel.
 - viii. Large (generally considered over 3 tons Gross Vehicle Weight) panel-type trucks may also have signage located centered on the side-panels, one per panel.
- M. **Reporting Accidents/Injuries:** The Vendor is required to report in writing all non-emergency incidents involving an accident, collision, fire, injury, or other casualty to the Town Chair at tobchair@cheqnet.net or text 715-209-7323 within

24 hours, **regardless of the extent of damages**. Filing this report to the Town Chair does not satisfy applicable United States Coast Guard, State, and County accident reporting requirements.

- N. **Supplies/Materials/Storage:** The Holder shall not stockpile or store any supplies/materials/equipment in the Town.
- O. **Compliance Inspection:** Commercial operations are subject to compliance inspections at any time by the Town while operating within the Town of Bell-
- P. **Food Service:** Vendor shall have a valid permit from the Bayfield County Health Department. Food service provided shall be in accordance with current U.S. Public Health Service Food Code. Food service is subject to inspection by the Bayfield County Public Health and Safety Officer.
- a. Any food items provided by the Vendor to the clients will only originate from an approved source (i.e., supermarket, grocery store, etc.) unless permitted food truck/stand. The Vendor must ensure that current copies of the Food Handler's Certificate(s) are always on file with the Town. The only exception is for individual pre-packaged food, like a granola bar, that the clients open and consume without any other person handling it.
 - b.
- Q. **Other Prohibited Activity:** The Vendor and their employees registered under this CUP are specifically prohibited from the following activities:
- a. Providing service or support to any commercial film or photography or research entity, without first ensuring the entity or agency possesses a valid permit issued by the Town.
 - b. Traversing by vehicle anywhere other than on designated roads.
 - c. Causing any damage and/or harm to any natural, cultural and/or historic resource or facility.
 - d. Disturbing or collecting any artifacts by any means and/or any methods.
 - e. Cutting or creating new trails; marking trails or locations by any means including flagging, rock cairns, vegetation, dead wood, chalking.
 - f. Disturbing the dunes by walking outside established and Town specified access points.
 - g. Harassing, capturing, collecting, chasing and/or killing any wildlife.
 - h. Feeding wildlife.
 - i. Entering by vehicle, canoe/kayak/boat/vessel or on foot, any closed areas.
 - j. Providing alcohol products of any kind to any visitor/client.
 - k. Climbing on, diving from, or jumping from private property (for example Roman's Point, Spirit Point), sea caves, or cliffs.
 - l. Smoking cigarettes, pipes, or e-cigarettes while providing commercial services in the Town.
 - m. Using or being under the influence of any alcohol or drugs while providing commercial services in the Town.

- R. **Annual Report:** On or before December 15, every CUP2 and CUP3 Vendor shall submit an annual report that includes visitor use data and gross receipts for the previous operating season. The Town Clerk will send a reporting form to each CUP Holder Vendor at least 30 days prior to the reporting deadline.

Commented [JE3]: Do you have an idea for a form?

Commented [RL4]: My idea would be a form with columns Week, # trips, # customers, gross receipts. Rows Week 1 starting week before Memorial Day and Ending according to their record

Additional Requirements for CUP2 and CUP3:

- S. **First Aid & CPR Requirements:** All Vendors, other than Goods Vendors, and all their registered employees, are required to possess current Basic First Aid and Cardiopulmonary Resuscitation (CPR) certification (adult and child) and will carry first aid equipment commensurate with the size of the group. **The American Red Cross and the American Heart Association are the only approved providers for First Aid and CPR training.** The Vendor must provide current copies of the Basic First Aid and CPR certifications to the Town Clerk for filing as part of CUP2 and CUP3.
- T. **Human Waste Management:** The Vendor will manage solid (fecal) human waste to assure proper disposal at Town provided toilet facilities or will provide its own portable toilets. In areas without toilets, solid (fecal) human waste and toilet paper must be packed out and properly disposed in Town or Vendor provided portable toilets. All bathing and washing will be done with biodegradable soaps no less than 200 feet from any water source to prevent wash water from being introduced into the water source.
- U. **Emergency Procedures:** The Vendor and their employees under this CUP will immediately report life-threatening incidents, fires, search and rescue event, all accidents and spills caused or observed, to USCG Dispatch on Marine Band Channel 16, or by calling 9-1-1. Dispatch will contact the proper response entities.
- V. **Aquatic Invasive Species Prevention:** The Vendor and their employees will comply with the State of Wisconsin Department of Natural Resources laws and policies to prevent the introduction, transfer, or spread of aquatic invasive species in Lake Superior. Educational information, laws and policies, and best practices can be found on the DNR website: <https://dnr.wi.gov/topic/Invasives/>. Vendors are encouraged to use the DNR website as an employee training resource.
- W. **Guided Kayak Tours** must conform to the specific conditions listed in Appendix E.
- X. **Sailboat Charters/Tours** must conform to the specific conditions in Appendix F.
- Y. **Fishing Charters, Water Taxi, Motorboat tours, and SCUBA tours** must conform to the special conditions in Appendix G.

SECTION (7) – WRITTEN APPLICATION REQUIRED

- A. **Goods Vendors:** Any person desiring to engage in activities as a Peddler, Solicitor or Vendor within the Town must complete and file a written application for CUP1 with the Town Clerk. Application form is Attachment A. Applications must be submitted at least 10 days prior to use.
- B. **Vendors providing kayak, motorboat, or sailboat tours or rentals that have a valid Commercial Use Authorization from the Apostle Islands National Lakeshore** must file an application for CUP2 with the Town Clerk. Application form is Attachment B. Applications must be submitted by May 1st of the season.
- C. **Vendors providing kayak, motorboat, or sailboat tours or rentals and other services that do not have a valid Commercial Use Authorization from the Apostle Islands National Lakeshore** authorizing such services must submit an application for CUP3 with all supporting documents to the Town Clerk by May 1st of the season. Instructions and Application for CUP3 are Attachment C.

SECTION (8) – PERMIT FEES

Permit fees shall be accompanied with the permit application. All Peddlers, Vendors and Solicitors not exempted shall be required to pay the permit fee. See Appendix A.

SECTION (9) – PERMIT DENIAL

A copy of the application for permit will be referred to the Town for consideration. An application for permit under this chapter may be denied where:

- A. Required application information is incomplete or incorrect;
- B. Applicant is currently wanted on warrant for arrest;
- C. A permit fee has not been paid;
- D. There are Fraudulent statements or omissions on permit application;
- E. The activity is not suitable or appropriate for the proposed location; or
- F. The applicant or, if the applicant is a corporation, one or more owners or members of the corporation, have had complaints reported to the Town related to the activities a Peddler, Solicitor or Vendor within the past two (2) years. The applicant shall be permitted the opportunity to address the Town Board prior to denial if denial is for the purposes of this subparagraph.

Notification of denial will be delivered in writing.

SECTION (10) – PERMIT ISSUANCE, CONTENTS, DURATION **How soon issued?**

Commented [JE5]: Permits to be issued at the next Town of Bell board meeting after receiving application.

- A. Each permit will expire on December 31st of the year issued. Permit may be renewed in additional 12 month increments by review of the Town Board. Permits will be issued after review at the Town Board meeting following receipt of application.
- B. The permittee is required to update any information required under Section (6) that has changed within five (5) working days of the change. Failure to update will constitute grounds for the Town to revoke the permit.
- C. Notification of permit approval will be issuance of said permit.
- D. Any permit issued pursuant to this Ordinance may include conditions determined by the Town Board to be necessary for the health, safety and welfare of Town residents; these conditions may include, but are not limited to:
 - a. Limitations on the frequency with which the permit Vendor may use or access the Town Marina including limitations on how many ships, boats, kayaks, canoes, paddleboards or like vessels the vendor may launch from the Town Marina at one time and limitations on how many such crafts the vendor may launch from the Town Marina per day or per week.
 - b. Limitations on the frequency with which the permit Vendor may use or access any other public property in the Town such as beaches, trails, and Town roads including limitations on how many cars, trucks, ATV/UTVs, bikes or other motorized or non-motorized methods of transportation may use the public property at one time and limitations on how many such cars, trucks, ATV/UTVs, bikes or other motorized or non-motorized methods of transportation may use the public property per day or per week.
 - c. A requirement that the permit Vendor, or his or her agent, employee or assign, have the permit on his or her person while engaging in the permitted activities.
 - d. Designation of locations at which and times during which the vendor may engage in the sale of the goods, wares, merchandise or personal property, or in the provision of services and a requirement that the vendor not operate at times or in locations that are not designated on the permit.

SECTION (11) – PERMIT NONTRANSFERABILITY

Permits issued under the provisions of this chapter are not transferable in any situation.

SECTION (12) – PERMIT REVOCATION

- A. The Town Board may revoke a permit granted herein.
- B. Prior to the revocation, the Town shall provide the permittee with written notice containing particulars of any and all complaint(s) against him or her, and the time, date and place for review of the complaints by the Town Board.
- C. After notice and review, the Town Board may revoke any permit issued under this chapter for reasons including but not limited to the following:
 - a. Fraudulent statements or omissions on permit application or in for improper or unpermitted conduct of permitted business;
 - b. Any violation of Federal or State statute, or Town ordinance;
 - c. Endangerment of public welfare, health or safety.
- D. Revocation of any permit shall bar the permittee from eligibility under this chapter for a period of one year from the date of revocation.

SECTION (13) – VIOLATION/PENALTY AND ENFORCEMENT

Any person, partnership, corporation, or other legal entity that fails to comply with the provisions of this Ordinance shall, upon conviction, pay a forfeiture of not more than \$500.00, plus the applicable surcharges, assessments, and costs for each violation. Each day a violation exists or continues constitutes a separate offense under this ordinance. In addition, the Town Board may seek injunctive relief from a court of record to enjoin further violations.

Either the Town Board Chairman or a Code Enforcement Officer appointed by the Town Board shall have authority to issue citations.

SECTION (14) – SAVINGS CLAUSE

If any section, subsection, sentence, clause, or phrase of this ordinance is held for any reason or be unconstitutional or invalid, such holding shall not affect the validity of the remaining portions of this ordinance. The Town hereby declares that it would have passed and adopted this ordinance and each section, subsection, sentence, clause, or phrase hereof irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION (15) – EFFECTIVE DATE

Following passage by the Town Board, this ordinance shall take effect thirty (30) days after the date of posting as provided by sec. 60.80, Wis. Stats.

Adopted by the Town Board for the Town of Bell on the ____ day of _____ 2019.

By: _____
Roger Lindgren, Chair

Date Published: _____

Attest: _____
Mary Beth Tillmans, Clerk

APPENDIX A
FEE SCHEDULE

TBD

CUP1 - \$10

CUP2 - \$100 renewal \$50

CUP3 - \$200 renewal - \$100

Commented [JE6]: Need to come up with fees and be approved by the board.

APPENDIX B

INSURANCE REQUIREMENTS

Commercial General Liability (CGL) Insurance: Liability insurance is required for all CUP holders under the terms of the authorization. Such insurance should be of sufficient scope to cover all potential risks and in an amount to cover claims that can reasonably be expected in the event of serious injury or death. The minimum liability insurance is \$500,000 for land-based activities and \$1,000,000 for water-based activities. Liability insurance policies must name the Town as additional insured. The business or person that is providing the service must be the named insured (policy holder).

Protection & Indemnity Vessel Insurance (P&I): If you are using a motorized vessel to operate commercially within the Town, you must have a P&I policy with minimum liability coverage of \$2,000,000. However, if your Commercial General Liability Insurance provides a blanket watercraft endorsement and does not exclude watercraft liability, then a Commercial General Liability insurance policy in the amount of \$2,000,000 may be accepted in lieu of the P&I vessel policy. If your primary policy does not meet the Service established limits for commercial general liability, you may obtain additional coverage through an umbrella insurance policy.

Automobile Liability Insurance: Each CUP holder that transports passengers in the performance of the service in the Town is required to meet state commercial automobile insurance requirements. You will need to contact your insurance provider to discuss the amount that is appropriate for your business needs. Please note that if the CUP holder does not transport passengers in the Town, then only state minimum insurance requirements apply. Minimum commercial automobile insurance liability limits have been set by the Service for interstate (between two or more states) transportation of passengers. If your business is providing services between two or more states, the following minimum commercial auto liability insurance for passenger transport is reflected in the following table:

| Commercial Vehicle Insurance – Passenger Transport (bodily injury and property damage) | Minimum per Occurrence Liability Limits* |
|---|---|
| Up to 6 passengers | \$1,000,000 |
| 7 – 15 passengers | \$1,500,000 |
| 16 – 25 passengers | \$3,000,000 |
| 26+ passengers | \$5,000,000 |

* Indicated minimum per occurrence liability limit or minimum State liability requirement (for intrastate operations only).

Workers Compensation Insurance: As required by state law; provide copy of insurance certificate with CUP application.

Insurance Company Minimum Standards: The Town has established the following minimum insurance company requirements. These standards apply to foreign insurance companies as well as domestic companies. All insurance companies must meet the following minimum standards:

1. All insurers for all coverages must be rated no lower than A- by the most recent edition of Best's Key Rating Guide (Property-Casualty edition) or similar insurance rating companies (Moody's, Standard and Poor's, or Fitch) unless otherwise authorized by the Town.
2. All insurers for all coverages must have Best's Financial Size Category of at least VII according to the most recent edition of Best's Key Rating Guide (Property-Casualty edition) or similar insurance rating companies (Moody's, Standard and Poor's, or Fitch) unless otherwise authorized by the Town.
3. The insurance ratings must be submitted with the CUP Application. The rating companies do not issue certificates. We require the insurance broker to note this rating in the Certificate. If the rating does not appear on the Certificate, the insurance broker must provide it in another document.

Proof of Insurance Submission: Applicants must submit proof of insurance with the CUP Application. The proof of insurance must:

1. Be written in English with monetary amounts reflected in U.S. dollars;
2. Reflect that insurance coverage is effective at time of CUP Application submission;
3. Name as insured the business or person that is providing the service;
4. Name the Town of Bell, WI as additional insured;
5. Reflect a General Commercial Liability Policy with the minimum coverage amount required in the CUP Application;
6. Reflect required additional insurances (commercial vehicle, vessel, aircraft, etc.) with the minimum coverage amount required in the CUP Application; and
7. Include insurance provider rating or provide in separate document.

APPENDIX C
AUTHORIZED SERVICES

| Authorized Commercial Service | Required Documentation |
|-------------------------------|--|
| Guided Kayak Tours | <ul style="list-style-type: none"> • CUP2 or CUP3 Application (Attachment B or C). • Application Fee: \$175 (submit payment with application). See Appendix A. • Management & Monitoring Fee: \$250 if conducting up to 10 trips per season; \$500 if conducting more than 10 trips per season (Bill of Collection for the Management & Monitoring Fee will be issued to CUP Holder at the end of each season). See Appendix A. • Proof of Insurance. See Appendix B. • Operations Plan. See Appendix D. • Vehicle and Vessel Registration Form (Attachment D). • Employee/Guide Checklist for Guided Kayak Tours (Attachment E-2). |
| Sailboat Charters | <ul style="list-style-type: none"> • CUP2 or CUP3 Application (Attachment B or C). • Application Fee: \$175 (submit payment with application). See Appendix A. • Management & Monitoring Fee: \$500 (Bill of Collection for the Management & Monitoring Fee will be issued to CUP Holder at the end of each season). See Appendix A. • Proof of Insurance. See Appendix B. • Operations Plan. See Appendix D. • Vehicle and Vessel Registration Form (Attachment D). • Employee/Guide Checklist (Attachment E-1). |

| | |
|---|--|
| <p>Fishing Charter, Motorboat Tour, Water Taxi, and SCUBA</p> | <ul style="list-style-type: none"> • CUP2 or CUP3 Application (Attachment B or C). • Application Fee: \$175 (submit payment with application). See Appendix A. • Management & Monitoring Fee: \$500 (Bill of Collection for the Management & Monitoring Fee will be issued to CUP Holder at the end of each season). See Appendix A. • Proof of Insurance. See Appendix B. • Operations Plan. See Appendix D. • Vehicle and Vessel Registration Form (Attachment D). • Employee/Guide Checklist (Attachment E-1). |
|---|--|

APPENDIX D

OPERATION PLAN CRITERIA

An operation plan is required for each of the following Commercial Use Permit (CUP) services: Guided Kayak Tours, Sailboat Charters, Fishing Charters, Water Taxi Service, Motorized Boat Tours, and Guided SCUBA Diving.

The purpose of the operation plan is to tell the Town of Bell what, where, and how the CUP Holder provides the services authorized under the CUP. It is especially important to identify measures the Holder uses when introducing clients to the cultural or natural areas of Apostle Islands National Lakeshore to prevent damage to the resource. This information is required by the Town of Bell to process the CUP. The operation plan is reviewed and approved/disapproved by the Town. The operation plan will be kept on file and will become part of the record regarding the performance of the CUP; however, it is a separate document and will not become part of the CUP.

Instructions for completing the Operation Plan

- Read through the outline.
- Answer each question in a simple and complete manner sufficiently addressing all of your tasks and activities.
- If a question does not pertain to your operation, please provide an explanation. For example, if you do not have employees, provide a statement that you do not have employees at this time.
- **Sign** and **Date** the operation plan and return it with the application package.
- If a question on the outline is unclear, please contact the Town Clerk.

On separate sheet of paper or on company letterhead, provide a statement for each question in each section below.

I. Operations to be conducted.

- a. What services are provided?
- b. Where and how are these services provided? (provide current map(s) identifying routes/areas proposed for use)
- c. What is the expected season of operation?
- d. How many outings are planned for this season?
- e. How many clients are expected to receive services under this CUP?
- f. How many and what type of vehicles, boats/vessels and other equipment will be used in the operation? (Respond as applicable to the particular CUP for which you are applying).
- g. How often will the equipment being used be inspected/serviced for safety and reliability?

- h. What is the last date of inspection on vehicles, vessels, trailers (as applicable) used to provide this service?

II. Products

- a. What equipment is provided to the client to use for this service?
- b. How often is the provided equipment inspected for safety and/or usability?
- c. Is food provided to the clients? Describe the type(s) of food provided (i.e., snacks, meals – hot, meals – cold).
- d. If food is not provided by the Holder, who is providing food?
- e. What type of sanitation practices will you encourage your clients to use in the lakeshore?

III. Safety Plan of Action:

- a. What kind of safety training is conducted with employees?
- b. How is the issue of safety addressed with the clients?
- c. What is the contingency plan of action in the event of serious accident or injury to clients and employees?
- d. What is the plan of action in the event of inadvertent (or purposeful) pollution of or damage to the resource is caused by the client or employee?
- e. What type of communications equipment is carried while providing these services?
- f. What is the contingency plan of action in the event of mechanical breakdown of a vehicle, boat, vessel, or trailer after the service has started? (Respond as applicable to the particular CUP for which you are applying).
- g. What is the contingency plan of action in the event unexpected circumstances require an unplanned overnight stay?

IV. Methods of Operations

- a. What types of sanitation practices do the Holder/employees use when providing services?
- b. Are recycling practices established for the business? If so, how does it work with the operation?
- c. How will the service be provided to ensure that no client or employee damages or removes natural resources, archaeological or historic artifacts from Apostle Islands National Lakeshore?
- d. What is the waste management plan for handling various wastes generated by providing this service (i.e. trash, food garbage, human waste, etc.)?

APPENDIX E

GUIDED KAYAK TOURS SPECIFIC CONDITIONS

The Holder and their employees registered under this Commercial Use Permit (CUP) will exercise this privilege subject to all of the following conditions:

Definition of Services Authorized Under This CUP: Guided Kayak Tours consist of guiding clients to destinations within the boundaries of the Town by kayak on the waters of Lake Superior, maintaining a required continuous presence at all times with the clients as specified below.

1. The Holder or registered employee(s) will maintain the required continuous presence with the clients for the entire duration of the scheduled trip. If clients self-transport, the Holder or registered employee(s) will maintain the required continuous presence from the moment of first contact within the Town until the clients complete their trip.
2. Guiding day use or overnight tours on water for clients to destinations within the Town, by means of a seaworthy, non-motorized kayak of sufficient size to adequately and safely move the client on water while carrying the required safety equipment and activity-associated gear and supplies.
3. Guides will obtain an up-to-date marine weather forecast and ensure that lake conditions are safe for travel before departure on any portion of a tour.
4. Each tour group size is limited to 21 individuals (including guides) with at least one guide for every six clients. Under special circumstances (such as a class trip), Holder may request written permission from the Town to increase group size, but these instances should be infrequent. Special conditions may apply.
5. In-Town kayak launching is only permitted at Meyers Beach and Little Sand Bay. Whenever a park ranger is present and visible at the launch area, the guide must check in with the park ranger before proceeding to the beach and provide requested trip information to the park ranger.
6. Holder must ensure that all clients on Guided Kayak Tours are able to understand basic instructions, can sit upright in a kayak, and can remove spray skirt from kayak in event of capsize.

Authorized Hours of Operation: The Holder and their employees registered under this CUP will not provide any Guided Kayak Tours between sunset and sunrise and will ensure that all guides and clients will be physically off the waters of Lake Superior by sunset. EXCEPTION: From June 15 through Labor Day, each CUP Holder may conduct guided sunset kayak tours from ~~Town of Bell~~Meyers Beach under the following conditions:

1. Holder checks the marine forecast and determines that paddling conditions are suitable for a sunset tour.
2. Holder notifies ~~the Town Chairman~~Commercial Services Manager (via text 715209-7323 email to APIS-Commercial_Services@nps.gov) of their intent to conduct a sunset tour at least 6 hours in advance of the trip and provides names

Commented [JE7]: Need to talk to Roger about this.

Commented [RL8]: See edit

of guides, number of clients, and an 'after hours' emergency contact telephone number for the CUP Holder.

3. Tour group size is limited to 12 clients and 2 guides. Two guides are required for every sunset tour, regardless of the number of clients. An additional guide may be added if Holder determines it is appropriate due to client experience level or ability.
4. Each kayak is equipped with a solid white light that can be turned on/off if needed.
5. In addition to all regularly required safety equipment, each guide is equipped with a sound-emitting device and a high quality, waterproof headlamp.
6. All guides and visitors/clients must be physically off the waters of Lake Superior within 30 minutes after official sunset.

Website: Holder must maintain a functioning website with information about their guided kayak tour services. The website must include rates for tours offered, the legal business name as shown on the CUP, a valid physical address for the business, and a working telephone number and email address.

Trip Confirmations: Any trip confirmations that are electronically transmitted to the client must include the legal business name as shown on the CUP and a working telephone number and email address.

Day Use Group Size Limitations: The Holder and their employees and clients are authorized for day use activities with group size up to 60 total people at one time in Frontcountry Zones (Meyers Beach and its parking lot and Little Sand Bay public developed areas) and the waters immediately offshore of them (Re: 2011 APIS GMP/WMP). At Meyers Beach, the Frontcountry Zone does not extend to the mainland sea caves.

Required Equipment:

1. Each kayak in the Holder's party shall be equipped with the following:
 - a. Kayak paddle(s)
 - b. Spray skirt(s)
 - c. Adequate flotation bags or solid watertight bulkhead
 - d. Bilge pump or bailing device
2. All guides and clients are required to wear a properly fitted U.S. Coast Guard (USCG) approved PFD at all times during on-water activities of a Guided Kayak Tour.
3. Each traveling group shall have one marine radio, a cell phone, a group first aid kit, one flare kit, one safety throw rope, and one spare paddle for every three kayaks in the group.
4. Wet suits are required (to be on hand) for all overnight trips and required to be worn any time the combined air and water temperatures equal less than 120 degrees Fahrenheit.

Guide Certifications: When submitting the Employee/Guide List (Attachment E-2), Holder must identify guides as one of the four classifications listed below.

1. Apprentice Guide
 - a. Must be at least 14 years old
 - b. Must have current First Aid and CPR training
 - c. No prior experience of guiding, sea kayaking, or outdoor leadership.
 - d. This is considered on the job training.
 - e. They may accompany any trip, but they do not qualify as a guide when related to guide/ client ratio, they do count in the group total as it relates to overnight camping trips.
2. Assistant Guide
 - a. Must be at least 16 years old
 - b. Must have current First Aid and CPR training.
 - c. This would be for people that are new to guiding and/ or Lake Superior but have some prior experience sea kayaking and/or outdoor leadership.
 - d. Have the skills of ACA Level 2: Essentials of Kayak Touring Skills Assessment (or the equivalent).
 - e. May assist a Senior/ Lead Guide as a second guide on trips with over 6 clients. They may not lead any trips by themselves.
3. Lead Guide
 - a. Must be at least 18 years old
 - b. Must have current First Aid and CPR training.
 - c. Experienced in the outdoors and has solid sea kayaking skills.
 - d. Intermediate level of knowledge of the natural history of the area and paddling experience on Lake Superior or comparable body of water. Good outdoor skills. Prior experience leading groups of various ages and abilities. Prior teaching experience. Considerable personal and professional outdoor experience. Demonstrated experience with complicated decision making, risk management and group management.
 - e. Have the paddling and leadership skills of ACA Level 3: Coastal Kayak Trip Leader (or the equivalent).
 - f. May lead any day trips by themselves.
 - g. May lead overnight trips with current Wilderness First Aid certification.
4. Senior Lead Guide/Instructor: Holder must identify at least one person as Senior Lead Guide/Instructor. Each Senior Lead Guide/Instructor must present their original certifications to the **Town Clerk/Commercial Services Manager** before the beginning of the operating season each year. The Senior Lead Guide/Instructor will be responsible for assessing and verifying the skills of Apprentice Guides, Assistant Guides, and Lead Guides.
 - a. Must be at least 18 years old
 - b. Current Wilderness First Aid and CPR certified
 - c. Are professionals with extensive paddling, physical skill teaching, demonstrated decision making, risk management, outdoor group management and leadership experience (3+ years)
 - d. Certified ACA Level 4: Open Water Coastal Kayaking Instructor (or above) or ACA Level 3: Coastal Kayaking Instructor Trainer (or the equivalents);

Commented [RL9]: See edit

Commented [JE10]: Need to talk to Roger about this.

current and valid certifications must be provided to the Town Clerk Commercial Services Manager. (NOTE: Certifications will be verified with the issuing organization.)

- e. May lead all trips, plus check-out apprentice and assistant guides to qualify for more senior positions and oversee guide trainings.

Safety Briefing: Prior to each tour, the guide will provide a safety briefing for clients. At a minimum, the safety briefing must include:

1. Basic paddling instruction
2. How to exit the vessel in event of capsize
3. Group paddling parameters
4. Emergency procedures
5. Use of equipment (how to adjust seat, use foot pedals, operation of rudder, must wear PFD)
6. Basic understanding of kayak stability and how to maximize it.
7. Expected paddling conditions, weather briefing, and approximate route and time frame for the tour.

Motorized Support Vessels:

1. Support vessels are authorized and, for safety reasons, can be used to transport visitors/clients.
2. Vessels used to provide or support this service will be inspected, equipped, and licensed in accordance with U.S. Coast Guard requirements, applicable federal and state laws and regulations. Vessels will display current state registration or possess a U.S. Coast Guard Declaration.
3. The use of motorized vessels will be conducted in accordance with applicable U.S. Coast Guard (USCG) requirements, including, but not limited to operation, vessel capacity, safety equipment, and rules of the road. A minimum of a captains (six pack) license is required in order to transport clients/visitors.
4. Motorized vessels will adhere to Uninspected Charter Regulations (Six Packs) for vessels less than 100 gross tons as issued by U.S. Coast Guard. The vessel is subject to boarding and inspection at any time within the Town.

Vehicles/Trailers:

1. When towing kayak trailers and/or the support vessel, the motorized tow vehicle will be mechanically sound, of sufficient size, horsepower, and brake horsepower, commensurate to the size of the trailer with boat/vessels being towed (or as required by state law) to adequately and safely complete the tow from its place of storage outside the Town, to designated public launch ramps and return. Total length of vehicle plus trailer must not exceed 45 feet.
2. Motor vehicles used to provide this service will be street legal and have current insurance, registration, license, inspection, equipment, and will be properly permitted in accordance with state law. The license will be properly affixed and displayed as required by state law. All motor vehicles used to transport kayaks and/or clients in the Town must be registered and insured in the name of the CUP Holder/business entity to whom this CUP is issued.

Commented [JE11]: Need to talk to Roger about this.

Commented [RL12]: See edit – presumably Town Clerk will record and forward copy to Parks n Lands committee for ? approval but don't think we need to define this internal procedure in the Ordinance? Same comment applies to above comments also

3. Trailers used to transport kayaks and the support vessel will be in sound mechanical condition, appropriately sized, and configured for the type of vessel being towed, with all lights and equipment in good working order. The trailer will be properly connected to the tow vehicle at all times.

Permits and/or Licenses: Holder is required to possess the following:

1. For operators of motorized support vessels, the Holder must provide current copies of the U.S. Coast Guard License(s) to the Town for filing as part of the CUP.
2. When providing vehicle transportation for visitors/clients within the boundaries of the Town, the Holder will ensure all employees under this CUP performing services as drivers are currently qualified to perform the service, possess a valid driver's license, and that a copy of the valid driver's license is on file with the Town. A Commercial Driver's License (CDL) is required for operation of motor vehicles that have the capacity to carry 16 or more passengers, including the driver.

Use of Area: The Holder will not use or be assigned any facilities or portions thereof, located within the Town, except as allowed to the general public. For example, a picnic table in a day use area that is intended for recreational use by visitors may not be converted to use as office space for the CUP Holder. This CUP does not authorize priority use of park areas. The Holder is prohibited from blocking access or impeding the flow of traffic along any roads, trails, walkways, greenways, parking lots, stairwell access, beaches, and/or waterways of any NPS facilities. Once safety briefing is complete and the tour is underway, any surplus equipment/supplies (wet suits, PFDs, etc.) must be properly stored in/on the Holder's vehicle or trailer or transported out of the Town. It is acceptable for kayaks to be staged on the beach at Meyers Beach and Little Sand Bay, but they must be removed from the park at the end of each day.

Congestion: CUP Holders are expected to work cooperatively and professionally to (1) stagger launch times to avoid congestion at the Town Beach sea caves and (2) stage kayaks on beach to minimize any negative impacts to beachgoers.

Overnight Stay (Camping): The Holder and their employees registered under this CUP will not stay overnight within the boundaries of the Town while engaged in the commercial activities unless the Holder is registered at a Campground or Lodging facility.

Reporting Requirements: In addition to the annual CUP report that is required of all CUP Holders, the Guided Kayak Tours CUP ~~shall also have additional reporting requirements. If the CUP Holder guides ten (10) or fewer trips per season, they must file a Trip Itinerary (Attachment II) at least 24 hours in advance of each trip launch. If the CUP Holder guides more than ten (10) trips per season, they are NOT required to file a Trip Itinerary but must~~ submit a monthly visitor use report that includes number of trips, number of clients, launch point, destination (ie Roman's Point), and number of day trips vs. overnight trips. The report for each month of operation will be due on the 15th day of

Commented [RL13]: Suggest we roll into the annual report and require of all. We may also ask destination ie Roman Point or ??

Commented [AH14]: Is the Town doing this as well? I don't have this attachment.

Commented [JE15R14]: We have never required this. Need more discussion on it.

the following month. The Town Clerk, ~~(available on website)~~ will provide a form for this reporting, ~~or it can be downloaded on the Town website.~~

APPENDIX F

SAILBOAT CHARTER SPECIFIC CONDITIONS

The Holder and employees registered under this Commercial Use Permit (CUP) will exercise this privilege subject to all of the following Specific Conditions:

Definition of Services Authorized Under This Permit: Sailboat Charters consist of providing guided trips by transporting clients to destinations within the boundaries of the Town on Lake Superior by sailing vessel designed for such use, while maintaining a required continuous presence at all times with the clients as specified below:

1. The Holder and their registered employees will maintain the required continuous presence with the clients from the time they launch the vessel until the time of returning to the launch ramp/dock/marina.
2. Vessels used to provide or support this service will be inspected, equipped, and licensed in accordance with U.S. Coast Guard requirements, applicable federal and state laws and regulations. Vessels will display current state registration or possess a U.S. Coast Guard Declaration.
3. The use of motorized vessels will be conducted in accordance with applicable U.S. Coast Guard (USCG) requirements, including, but not limited to operation, vessel capacity, safety equipment, and rules of the road. A minimum of a captains (six pack) license is required in order to transport clients.
4. Sailboat Charter services will adhere to Uninspected Charter Regulations for vessels less than 100 gross tons as issued by U.S. Coast Guard. All vessels used to provide or support this service are subject to boarding and inspection at any time within the Town.
5. All vessels used to provide this service will be equipped with a marine band radio and cellular phone.
6. All vessels used to provide this service will carry a USCG approved personal flotation device (PFD), as specified by USCG requirements, for each operator and passenger as well as at least one throwable Type IV PFD. A Type V PFD may be used in lieu of any wearable PFD, if it is approved for the activity in which the boat is being used. A Type V hybrid must be worn to be legal. PFD use will comply with State of Wisconsin law.
7. When towing a vessel into the Town on a trailer, the motorized tow vehicle will be mechanically sound, of sufficient size, horsepower, and brake horsepower, commensurate to the size of the vessel being towed (or as required by state law) to adequately and safely complete the tow from its place of storage outside the Town, to designated public launch ramps within the Town, and return.
8. Trailers used to transport vessels within the Town will be in sound mechanical condition, appropriately sized and configured for the type/size of vessel being towed, with all lights and equipment in good working order. The trailer will be properly connected to the tow vehicle at all times.

Commented [AH16]: This is unclear. What is available on the website?

Commented [RL17]: Same column and row structure as above with column titles as per this text and rows just week of the month (rows to be titled by CUP holder so form is generic. I think all forms should be available on website?

9. Motor vehicles used to provide this service will be street legal and have current insurance, registration, license, inspection, equipment, and will be properly permitted in accordance with state law. The license will be properly affixed and displayed as required by state law.

Licenses:

1. The Holder and boat captains registered under this CUP are required to possess a current captains license (six pack) or masters certificate issued by the U.S. Coast Guard. The Holder must provide current copies of the U.S. Coast Guard License(s) for all boat captains registered under this CUP to the Town Clerk ~~Apostle Islands NL Commercial Services Manager~~ for filing as part of the CUP.
2. When providing vehicle transportation for clients within the boundaries of the Town, the Holder will ensure all employees under this CUP performing services as drivers are currently qualified to perform the service and possess appropriate Commercial Driver License (CDL) as required by Wisconsin Department of Transportation regulations. A CDL is required for operation of motor vehicles that have the capacity to carry 16 or more passengers including the driver. The Holder must ensure that current copies of all Driver Licenses are always on file with the Town.

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Commented [RL19]: We should search the document to be consistent about submittals – Always to Town Clerk for record purposes and we decide on internal distribution...

APPENDIX G

FISHING CHARTER, MOTORBOAT TOUR, WATER TAXI, AND SCUBA SPECIFIC CONDITIONS

The Holder and employees registered under this Commercial Use Authorization (CUA) will provide Fishing Charters, Water Taxi Service, Motorboat Tours, and/or Guided SCUBA Diving Tours in accordance with the following conditions:

When providing **Fishing Charters and Motorboat Tours**, the Holder, or registered employees of the business, will maintain a continuous presence with clients from the time of departure at the launch ramp/dock/marina until the moment of return to the launch ramp/dock/marina.

When providing **Water Taxi Service**, the Holder, or registered employees of the business, will maintain a continuous presence with clients during boat transportation to and from island locations. Water Taxi Service involves only the transportation of clients from a launch ramp/dock/marina to an island, and return. Prior to departure of Water Taxi Service from mainland, the Holder, or registered employees, will ensure that clients possess a valid map, compass/GPS, food, water, clothing, radio/cell phone, valid camping permits, and written instructions that clearly explain pick-up procedures including date, time, primary and alternate locations.

When providing **Guided SCUBA Diving Tours**, the Holder, or registered employees of the business, will maintain a continuous presence with the clients from departing the launch ramp/dock/marina until the moment of return to the launch ramp/dock/marina. Once at the dive site, presence is defined as the captain remaining aboard the vessel and the vessel remaining at the dive site. Presence when providing diving instruction is defined as the dive instructor remaining within sight of divers for the duration of the dive and in close proximity to offer direction/correction and respond to potential emergencies such as decompression diving illness.

Motorized Vessels:

1. Motorized vessels used to provide or support these services will be equipped and licensed in accordance with U.S. Coast Guard requirements, applicable federal and state laws and regulations. Vessels will display current state registration or possess a U.S. Coast Guard Declaration.
2. The use of motorized vessels will be conducted in accordance with applicable U.S. Coast Guard (USCG) requirements, including, but not limited to operation, vessel capacity, safety equipment, and rules of the road. A minimum of a Charterboat Captain's License (6-pack) license is required in order to transport clients. Services performed under this CUA are limited to six (6) passengers per trip.
3. Any vessel registered under this CUP is subject to boarding and inspection at any time within the lakeshore.

4. Motorized boats/vessels used to support this service will be equipped with a marine band radio and cellular phone, for use in the event of any emergency.
5. All vessels used under this permit will carry a USCG approved personal flotation device (PFD), as specified by USCG requirements, for each operator and passenger as well as at least one throwable Type IV PFD. A Type V PFD may be used in lieu of any wearable PFD, if it is approved for the activity in which the boat is being used. A Type V hybrid must be worn to be legal.
6. When towing a vessel into the lakeshore, the motorized tow vehicle will be mechanically sound, of sufficient size, horsepower, and brake horsepower, commensurate to the size of the vessel being towed (or as required by state law) to adequately and safely complete the tow from its place of storage outside the lakeshore, to designated public launch ramps within the lakeshore, and return. Total length of vehicle plus trailer must not exceed 45 feet.
7. Trailers used to transport vessels within the lakeshore will be in sound mechanical condition, appropriately sized and configured for the type of boat/vessel being towed, with all lights and equipment in good working order. The trailer will be properly connected to the tow vehicle at all times.
8. Vehicles used to provide this service will be street legal and have current insurance, registration, license, inspection, equipment, and will be properly permitted in accordance with state law. The license will be properly affixed and displayed as required by state law.

SCUBA:

1. The Holder will obtain a "Dive Permit" from the Chief Ranger of Apostle Islands National Lakeshore before engaging in any dive operations within the boundaries of Apostle Islands National Lakeshore or on any submerged cultural resources within 1.5 statute miles of the boundary as managed by the NPS under agreement with the Wisconsin Historical Society.
2. For all persons working underwater, the Holder must provide current copies of a nationally recognized
3. certification that meets the minimum requirements for "Dive Master" or better.
4. The standard red and white "Diver Down" flag must be displayed and clearly visible whenever divers are in the water (red with white diagonal stripe, minimum 12 inches by 12 inches.) When at the surface, divers must be within 100 feet of the flag.
5. The Holder, or registered employee, must carry the following equipment while diving: diver watch or timer, dive knife, compass.
6. All divers must wear either a full wet suit (minimum requirement) or dry suit (preferred).
7. Diving is only authorized between sunrise and sunset.

Fishing Charters: The State of Wisconsin requires a guide license for anyone who guides, directs, or assists other persons in fishing in Wisconsin for compensation. The Holder, and any registered employees, conducting Fishing Charters under the terms of this CUP must provide a copy of a valid guide license issued by the State of Wisconsin.

Licenses: The Holder and guide(s) registered under this Permit are required to possess the following:

1. A current boat/vessel captains (six pack) license or masters certificate issued by the U.S. Coast Guard.
2. The Holder must provide current copies of the U.S. Coast Guard License(s) for all employees registered under this Permit to Town Clerk for filing as part of the Permit.
3. When providing vehicle transportation for visitors/clients within the boundaries of the lakeshore, the Holder will ensure all employees under this Permit performing services as drivers are currently qualified to perform the service and possess, if required, a Commercial Driver License (CDL) as required by Wisconsin Department of Transportation regulations. A CDL is required for operation of motor vehicles that have the capacity to carry 16 or more passengers including the driver. The Holder must ensure that current copies of the Commercial Driver License are always on file in the Town.

ATTACHMENT A
CUP1 APPLICATION
FOR GOODS VENDORS

Instructions. Please include the following in your application:

1. Name
2. Mailing address
3. Phone number
4. Proposed location(s) where business will occur within the Town
5. Name, address, and phone number of associated organization (if applicable)
6. Name, address, and phone number of affiliated company, corporation, or individual (if applicable)
7. Brief operations plan detailing what goods will be provided (if food, please indicate what type – snacks, meals, etc.), expected length and season of operation, how many days you plan to operate within the Town, and a waste management plan
8. Full and complete list of all booths, trailers or items of transport and/or display that will be used in providing the good
9. Copy of a valid photo ID for each representative/employee
10. Food Handler License (if applicable) for each representative/employee
11. Current State of Wisconsin Sales and Use Tax Permit together with written documentation from the State that all sales tax that may be due and owing by the vendor has been paid in full
12. Application fee (see Appendix A)
13. Proof of insurance (see Appendix B)
14. Please sign and date your application.

**CUP1 APPLICATION
FOR GOODS VENDORS**

1. Applicant Name: _____

2. Address: _____ State: _____ ZIP: _____

3. Business Phone: _____ Cell Phone: _____

4. Proposed location(s) where business will occur within the Town: _____

5. If the applicant is peddling or making solicitations for any commercial, charitable or political organization, list the full legal name, address, and telephone number of such organization.

Organization Name: _____

Address: _____ State: _____ ZIP: _____

Business Phone: _____ Cell Phone: _____

6. If any other company, corporation, affiliate or individual is working with the Vendor with respect to the selling of goods, wares, merchandise or private property in the Town or the provision of services, whether immediate or in the future, in the Town, the applicant must provide the full name, address, telephone number, and Sales and Use Tax Permit or FEIN for said company, corporation, affiliate or individual.

Affiliate Name: _____

Address: _____ State: _____ ZIP: _____

Business Phone: _____ Cell Phone: _____

7. Attach a brief operation plan with explanation of:
- What good(s) will be provided? If food, what type? (i.e. snacks, meals, etc.)
 - What is the expected length and season of operation?
 - How many days do you plan to operate in the Town?
 - What is your waste management plan?

8. Write a full and complete list of all booths, trailers or items of transport and/or display that will be used in providing the good (attach additional sheets as necessary):

ATTACHMENT B
CUP2 APPLICATION
FOR KAYAK, MOTORBOAT, OR SAILBOAT TOURS OR RENTALS
THAT HAVE A VALID COMMERCIAL USE AUTHORIZATION
FROM THE APOSTLE ISLANDS NATIONAL LAKESHORE

Instructions. Please include the following in your application:

1. Name
2. Mailing address
3. Phone number
4. Proposed location(s) where business will occur within the Town
5. Type of service applicant plans to provide (see Appendix C)
6. Apostle Islands National Lakeshore CUA number and expiration date
7. Operations plan (see Appendix D)
8. Vehicle and Vessel Registration Form (Attachment D)
9. Employee/Guide Checklist (Attachment E-1 or E-2)
10. Application fee (see Appendix A)
11. Proof of insurance (see Appendix B)
12. Please sign and date your application.

**CUP2 APPLICATION
FOR KAYAK, MOTORBOAT, OR SAILBOAT TOURS OR RENTALS
THAT HAVE A VALID COMMERCIAL USE AUTHORIZATION
FROM THE APOSTLE ISLANDS NATIONAL LAKESHORE**

1. Applicant Name: _____

2. Address: _____ State: _____ ZIP: _____

3. Business Phone: _____ Cell Phone: _____

4. Proposed location(s) where business will occur within the Town: _____

5. Type of service applicant plans to provide:

- | | |
|--|---|
| <input type="checkbox"/> Guided kayak tour | <input type="checkbox"/> Water taxi |
| <input type="checkbox"/> Sailboat charter | <input type="checkbox"/> Motorboat tour |
| <input type="checkbox"/> Fishing charter | <input type="checkbox"/> SCUBA diving |

6. CUA #: _____ Expiration: _____

7. Attach Operations plan (see Appendix F).

8. Attach Vehicle and Vessel Registration Form (Attachment D).

9. Attach Employee/Guide Checklist (Attachment E-1 or E-2).

10. Attach Application fee (see Appendix A).

11. Attach proof of insurance (see Appendix B).

12. Signature. False, fictitious or fraudulent statements of representations made in this application may be grounds for denial or revocation of the Commercial Use Permit and may be punishable by fine. All information provided will be considered in reviewing this application. Authorized Agents must attach proof of authorization to sign below.

By my signature, I hereby attest that all my statements and answers on this form and any attachments are true, complete, and accurate to the best of my knowledge:

Signature

Name (print)

Date

ATTACHMENT C

**CUP3 APPLICATION
FOR KAYAK, MOTORBOAT, OR SAILBOAT TOURS OR RENTALS
THAT DO NOT HAVE A VALID COMMERCIAL USE AUTHORIZATION
FROM THE APOSTLE ISLANDS NATIONAL LAKESHORE**

Instructions. The following explanations correspond directly with the numbered items on the Application Form. Please read this entire document prior to completing the application. Include the nonrefundable application fee when submitting this application.

1. Enter the service you are proposing to provide. See Appendix C for services which are currently approved in the Town.
2. Respond "No" or list parks or towns in Bayfield County, WI where you will be providing this service.
3. Enter the legal name of your business. If you have a secondary name under which you are doing business (DBA) please enter that name also.
4. Give the name(s) of persons designated as Authorized Agents for your business. This may include an on-site manager responsible for day to day operations.
5. Provide contact information for both the main season and the off-season. Over the term of your authorization, it may be necessary to contact you to obtain or share information. Your contact information may also be published in the Cornucopia Business Association Commercial Services Directory.
6. Check the box that identifies your type of business.
7. If the state in which you operate or the state where your business is domiciled requires a state business license, provide the license number and year of expiration.
8. Provide your Employer Identification Number (EIN). The Debt Collection Improvement Act of 1996 requires us to collect an EIN or Social Security Number (SSN). The Town of Bell will not collect SSNs, only EINs. The EIN is issued by the Internal Revenue Service. You may receive a free EIN at: <http://www.irs.gov/Businesses/Small-Businesses-&Self-Employed/How-to-Apply-for-an-EIN>. We will use the EIN that you provide as needed to collect debts.
9. Provide proof of General Liability Insurance naming the Town of Bell, as additional insured in the amounts designated in the application. Provide proof of vehicle/vessel/aircraft liability insurance, if required by law, or if visitors are transported by vehicle/vessel/aircraft within the Town of Bell, or if vehicle/vessel/aircraft are engaged in providing the service (i.e. hauling horses used in the activity). Insurance companies must be rated at least A- by the most recent edition of A.M. Best's Key Insurance Reports (Property- Casualty edition) or similar insurance rating companies (Moody's, Standard and Poor's, or Fitch). Refer to Appendix B.

10. Provide a description of and registration number of each vehicle/vessel/aircraft you will utilize during the course of the proposed commercial service. Refer to Attachment D – Vehicle and Vessel Registration Form.
11. Provide copies of all licenses, vehicle/vessel registration, and certificates of training as required by activity specific conditions. Refer to Attachment E-1 and E-2.
12. If your business or business owners or current employees or proposed employees have been convicted or are currently under charges for violation of State, Federal, or local law or regulation in the last 5 years, please give details (does not include minor traffic tickets).
13. Include payment of the Application/Administrative Fee \$175 See Appendix A - Schedule and Payment Information.
14. Please sign and date your application. If the person SIGNING this application is an Authorized Agent for the business, proof of signing authority must accompany this application.

Additional Information: The Town has terms and conditions on all Transient Vendor agreements. The following terms and conditions will apply to all CUP3s. There may be additional terms and conditions based on the services provided. These may include but are not limited to limits on locations, times, group size, and employee licenses and certifications and providing such information to the Town for approval.

CONDITIONS OF THIS CUP3

1. **False Information:** The holder is prohibited from knowingly giving false information. To do so will be considered a breach of conditions and be grounds for revocation:
2. **Legal Compliance:** The holder shall exercise this privilege subject to the supervision of the Town of Bell Chairman or designee. The holder shall comply with all applicable laws and regulations of the area and terms and conditions of the authorization. The holder must acquire all permits or licenses of State or local government, as applicable, necessary to provide the services described above, and, must operate in compliance with all applicable Federal, State, and local laws and regulations, including, without limitation, all applicable Town of Bell and Byfield County policies, procedures, ordinances, and regulations.
3. **Rates:** The holder shall provide commercial services under this permit to visitors at reasonable rates and under operating conditions satisfactory to the Town.
4. **Liabilities and Claims:** This authorization is issued upon the express condition that the Town of Bell, its agents and employees shall be free from all liabilities and claims for damages and/or suits for or by reason of any injury, injuries, or death to any person or persons or property of any kind whatsoever, whether to the person or property of the holder, its agents or employees, or third parties, from any cause or causes whatsoever while in or upon said premises or any part thereof during the term of this permit or occasioned by any occupancy or use of said premises or any activity carried on by the holder in connection herewith, and the holder hereby covenants and agrees to indemnify, defend, save and hold harmless the Town, its

agents, and employees from all liabilities, charges, expenses and costs on account of or by reason of any such injuries, deaths, liabilities, claims, suits or losses however occurring or damages growing out of the same.

5. **Insurance:** Holder agrees to carry general liability insurance against claims occasioned by the action or omissions of the holder, its agents and employees in carrying out activities and operations under this permit. The policy shall name the Town as additional insured. Holder agrees to have on file with the Town copies of the above insurance with the proper endorsements.
6. **Fees:** Holder shall reimburse the Town for all costs incurred by the Town as a result of accepting and processing the application and managing and monitoring the permitted activity. Administrative costs for the application process must be paid when the application is submitted. Monitoring fees and any additional costs incurred by the Town to support the commercial activity will be paid annually.
7. **Benefit:** No member of, or delegate to, the Town of Bell Board shall be admitted to any share or part of this permit or to any benefit that may arise from this authorization. This restriction shall not be construed to extend to this Contract if made with a corporation or company for its general benefit.
8. **Transfer:** This permit may not be transferred or assigned without the written consent of the Town.
9. **Termination:** This permit may be terminated upon breach of any of the conditions herein or at the discretion of the Town Chairman.
10. **Preference or Exclusivity:** The holder is not entitled to any preference to renewal of this permit except to the extent otherwise expressly provided by law. This permit is not exclusive and is not a concession contract.
11. **Construction:** The holder shall not construct any structures, fixtures or improvements in the Town. The holder shall not engage in any groundbreaking activities without the express written approval of the Town.
12. **Reporting:** The holder is to provide the Town upon request (and, in any event, immediately after expiration of this permit) a statement of its gross receipts from its activities under this authorization and any other specific information related to the holder's operations that the Town requests, including but not limited to, visitor use statistics, and resource impact assessments.
13. **Accounting:** The holder is to maintain an accounting system under which its accounts can be readily identified within its system of accounts classification. This accounting system must be capable of providing the information required by this permit. The holder grants the Town access to its books and records at any time for the purpose of determining compliance with the terms and conditions of this permit.
14. **Minimum Wage:** The holder is required to adhere to Executive Order 13658 – Establishing a Minimum Wage for Contractors. The implementing regulations, including the applicable authorization clause, are incorporated by reference into this contract as if fully set forth in this contract and available at <https://federalregister.gov/a/2014-23533>. **Exemption:** Under Executive Order 13838, Executive Order 13658 shall not apply to contracts or contract-like instruments entered into with the Federal Government in connection with seasonal recreational services or seasonal recreational equipment rental for the general public on Federal lands, but this exemption shall not apply to lodging and food

services associated with seasonal recreational services. Seasonal recreational services include river running, hunting, fishing, horseback riding, camping, mountaineering activities, recreational ski services, and youth camps.

15. **Visitor Acknowledgment of Risks (VAR):** The holder is not permitted to require clients to sign a waiver of liability statement or form, insurance disclaimer, and/or indemnification agreement waiving the client's right to hold the CUP3 holder responsible for accidents or injury occurring on Town property. The holder is permitted to request or require a client to sign a form or statement acknowledging risk and/or indicating that certain prerequisite skills may be needed to participate in the commercial activity. The holder must provide the Town with the current copy of all forms and/or statements used for this purpose and obtain written approval by the Town. A sample Acknowledgment of Risk form may be obtained by contacting the Town office at (715) 742-3356.
16. **Intellectual Property of the Town:** Except with the written authorization of the Town Chairman, the Holder shall not assert any legal claim that the Holder or any related entity holds a trademark, tradename, servicemark or other ownership interest in the words "Town of Bell Wisconsin," "Cornucopia WI," "Roman Point," "Spirit Point," or official name of any unit or part of the Town, including but not limited to any facility, logo, distinctive natural, archaeological, cultural, or historic site, within the Town, or any colorable likeness thereof.
17. **Nondiscrimination:** The holder must comply with Applicable Laws relating to nondiscrimination in providing visitor services to the public and with all equal employment opportunity provisions of Title VII of the Civil Rights Act, as amended.

IMPORTANT: Before completing this application, please refer to Appendix A to verify that the service you are proposing is an approved commercial service. If the service you wish to provide is **not** listed on the table of approved commercial visitor services, contact the Town at: tobclerk@cheqnet.net or tobchair@cheqnet.net.

**CUP3 APPLICATION
FOR KAYAK, MOTORBOAT, OR SAILBOAT TOURS OR RENTALS
THAT DO NOT HAVE A VALID COMMERCIAL USE AUTHORIZATION
FROM THE APOSTLE ISLANDS NATIONAL LAKESHORE**

1. Type of service applicant plans to provide:

- | | |
|--|--|
| <input type="checkbox"/> Guided kayak tour, fewer than 10 trips per season | <input type="checkbox"/> Fishing charter |
| <input type="checkbox"/> Guided kayak tour, more than 10 trips per season | <input type="checkbox"/> Water taxi |
| <input type="checkbox"/> Sailboat charter | <input type="checkbox"/> Motorboat tour |
| | <input type="checkbox"/> SCUBA diving |

2. Will you be providing this service in other locations in Bayfield County? ☐ Yes ☐ No

If yes, list other locations and services provided:

3. Applicant's legal business name (include any additional names or DBAs under which you will operate:

4. List Authorized Agents:

5. Mailing Addresses

PRIMARY MAILING ADDRESS

Address: _____ State: _____ ZIP: _____

Day Phone: _____ Evening Phone: _____

Fax: _____ Dates to contact you at this address: _____

Email: _____ Website: _____

SECONDARY MAILING ADDRESS

Address: _____ State: _____ ZIP: _____

Day Phone: _____ Evening Phone: _____

Fax: _____ Dates to contact you at this address: _____

6. What is your business type?

- ☐ Sole proprietor
- ☐ Partnership. Names of partner(s): _____
- ☐ Limited Liability Company. State: _____ Entity Number: _____
- ☐ Corporation. State: _____ Entity Number: _____
- ☐ Non-profit. (Please attach a copy of your IRS Ruling or Determination Letter.)

7. State Business License Number: _____ Expiration date: _____

8. Employer Identification Number (EIN): _____

9. Attach proof of insurance. See Appendix B.

10. Attach Vehicle and Vessel Registration Form (Attachment D).

11. Attach Employee/Guide Checklist (Attachment E-1 or E-2).

12. To your knowledge, have you, your company, or any current or proposed employees been convicted or fined for violations of State, Federal, or local law within the last 5 years? Are you, your company, or any current or proposed employees now under investigation for any violations of State, Federal, or local law or regulation?

☐ Yes ☐ No

If yes, please provide the following information. Attach additional pages as necessary:

Date of violation or incident under investigation: _____

Name of business or person(s) charged: _____

Please identify the law or regulation violated or under investigation: _____

Please identify the State, municipality, or Federal agency that initiated the charges:

Additional detail (optional):

Results (action taken by court):

13. Attach Application fee (see Appendix A).

14. Signature. False, fictitious or fraudulent statements of representations made in this application may be grounds for denial or revocation of the Commercial Use Permit and may be punishable by fine. All information provided will be considered in reviewing this application. Authorized Agents must attach proof of authorization to sign below.

By my signature, I hereby attest that all my statements and answers on this form and any attachments are true, complete, and accurate to the best of my knowledge:

Signature

Name (print)

Date

ATTACHMENT D

VEHICLE AND VESSEL REGISTRATION FORM

Instructions:

1. Print the company name, Apostle Islands National Lakeshore CUA number(s) (if applicable), phone number, and mailing address, and read and sign the affidavit below.
2. Check the appropriate box to identify the information provided applies to a vehicle or vessel.
3. Enter the required information as it pertains to the vehicle or vessel being registered in the spaces provided below. All information is required.
4. **Register only one vehicle or one vessel in each entry. "Vessel" refers to a motorized vessel.**
5. Registration with the Town of all vehicles/vessels used to provide services under this CUP is required.
6. All vehicles/vessels used to provide services under this CUP must be registered or legitimately leased to the CUP holder or registered or legitimately leased in the business name.
7. **Registering additional vehicles and/or vessels** (after original submission):
Submit this form following the instructions above.

Applicant Name: _____

Address: _____

State: _____

ZIP: _____

Business Phone: _____

Cell Phone: _____

Affidavit: I CERTIFY that I am an authorized agent for the business indicated above. I am authorized to register the vehicles and/or vessels listed in this application.

Signature

Name (print)

Date

Registered Vehicles and/or Vessels:

| | | | | |
|---|----------------------------|---------------------------|---------------------|-----------------------|
| (Check one) <input type="checkbox"/> Vehicle <input type="checkbox"/> Vessel | Year of Make: | State Registered: | Vessel Length: | Registration Expires: |
| Vehicle Make: | Vehicle Model / Boat Type: | | Vehicle License No: | Insurance Expires: |
| Watercraft No/Name: | | Boat Manufacturer's Name: | | Town Use Only |

| | | | | |
|---|----------------------------|---------------------------|---------------------|-----------------------|
| (Check one) <input type="checkbox"/> Vehicle <input type="checkbox"/> Vessel | Year of Make: | State Registered: | Vessel Length: | Registration Expires: |
| Vehicle Make: | Vehicle Model / Boat Type: | | Vehicle License No: | Insurance Expires: |
| Watercraft No/Name: | | Boat Manufacturer's Name: | | Town Use Only |

| | | | | |
|---|----------------------------|---------------------------|---------------------|-----------------------|
| (Check one) <input type="checkbox"/> Vehicle <input type="checkbox"/> Vessel | Year of Make: | State Registered: | Vessel Length: | Registration Expires: |
| Vehicle Make: | Vehicle Model / Boat Type: | | Vehicle License No: | Insurance Expires: |
| Watercraft No/Name: | | Boat Manufacturer's Name: | | Town Use Only |

| | | | | |
|---|----------------------------|---------------------------|---------------------|-----------------------|
| (Check one) <input type="checkbox"/> Vehicle <input type="checkbox"/> Vessel | Year of Make: | State Registered: | Vessel Length: | Registration Expires: |
| Vehicle Make: | Vehicle Model / Boat Type: | | Vehicle License No: | Insurance Expires: |
| Watercraft No/Name: | | Boat Manufacturer's Name: | | Town Use Only |

| | | | | |
|---|----------------------------|---------------------------|---------------------|-----------------------|
| (Check one) <input type="checkbox"/> Vehicle <input type="checkbox"/> Vessel | Year of Make: | State Registered: | Vessel Length: | Registration Expires: |
| Vehicle Make: | Vehicle Model / Boat Type: | | Vehicle License No: | Insurance Expires: |
| Watercraft No/Name: | | Boat Manufacturer's Name: | | Town Use Only |

| | | | | |
|---|----------------------------|---------------------------|---------------------|-----------------------|
| (Check one) <input type="checkbox"/> Vehicle <input type="checkbox"/> Vessel | Year of Make: | State Registered: | Vessel Length: | Registration Expires: |
| Vehicle Make: | Vehicle Model / Boat Type: | | Vehicle License No: | Insurance Expires: |
| Watercraft No/Name: | | Boat Manufacturer's Name: | | Town Use Only |

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|---|----------------------------|---------------------------|---------------------|-----------------------|
| (Check one) <input type="checkbox"/> Vehicle <input type="checkbox"/> Vessel | Year of Make: | State Registered: | Vessel Length: | Registration Expires: |
| Vehicle Make: | Vehicle Model / Boat Type: | | Vehicle License No: | Insurance Expires: |
| Watercraft No/Name: | | Boat Manufacturer's Name: | | Town Use Only |

ATTACHMENT E-1

EMPLOYEE/GUIDE CHECKLIST

Instructions: Complete table below with name and title of each person working under your Commercial Use Permit (CUP). In addition, enter the expiration dates for First Aid, CPR, Food Handling, Merchant Mariner Credential, and fishing guide certifications that may apply to each employee. ALL employees must have First Aid and CPR certifications. For anyone who will be driving a vehicle for your business, enter the expiration date of their driver license. A Commercial Driver License (CDL) is required for operation of motor vehicles that have the capacity to carry 16 or more passengers (including driver).

Sign the bottom of the form, attach copies of all certifications and licenses, and include with your application.

If you are a Guided Kayak CUP Holder, please use Attachment E-2 instead of this form.

| Employee Name | Title (Owner, Manager, Driver, Captain, et. al) | First Aid | CPR | USCG Merchant Mariner Credential | Food Handler | Fishing Guide | Other |
|---------------|---|-----------|-----|----------------------------------|--------------|---------------|-------|
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I certify that all information entered on and attached to this form is true and accurate to the best of my knowledge:

Signature Date Title Name of Business

| Employee Name | Title (Owner, Manager, Driver, Captain, et. al) | First Aid | CPR | USCG Merchant Mariner Credential | Food Handler | Fishing Guide | Other |
|---------------|--|--------------|-----|---|--------------|---------------|-------|
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ATTACHMENT E-2

EMPLOYEE/GUIDE CHECKLIST FOR GUIDED KAYAK TOURS

Instructions: Before completing this form, review the Guide Classification Criteria on page 22. Then complete table below with name and title of each person working under your Commercial Use Permit (CUP). In addition, enter the expiration dates for First Aid, CPR, Food Handling, and other certifications that may apply to each employee/guide. Mark N/A if not applicable. Copies of First Aid and CPR certifications and photo ID must be provided for ALL employees/guides. For anyone who will be driving a vehicle for your business in the park, enter the expiration date of their driver license. A Commercial Driver License (CDL) is required for operation of motor vehicles that have the capacity to carry 16 or more passengers (including driver). Table is on reverse. You may make additional copies as needed.

Your designated Senior Lead Guide/Instructor must initial next to the title for each guide AND sign the certification statement.

The CUP Holder must sign the certification statement, attach copies of all certifications, photo IDs, and licenses, and include with your application.

Senior Lead Guide/Instructor Certification: I hereby certify that I have completed a skill assessment for each guide listed on this form (with my initials) and certify that they meet the Guide Classification Criteria for the guide position they hold:

Signature of Senior Lead Guide/Instructor

Date Signed

Printed Name

CUP Holder Certification: I certify that all information entered on and attached to this form is true and accurate to the best of my knowledge:

Signature of CUP Holder

Date Signed

Title

Name of Business

