

## Ordinance No. 07-1-25

### AN ORDINANCE REPEALING AND RECREATING CHAPTER 7, TRAFFIC AND VEHICLES, ARTICLE 7: BICYCLES, MOTORBIKES AND SIMILAR VEHICLES.

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#### ORDINANCE NO. 07-1-25

**THE VILLAGE BOARD OF THE VILLAGE OF ASHWAUBENON DOES ORDAIN THAT ARTICLE 7: BICYCLES, MOTORBIKES AND SIMILAR VEHICLES BE REPEALED AND RECREATED TO READ AS FOLLOWS:**

#### **7-7-235 Definitions**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*All-terrain vehicle*, as defined in Wis. Stats. § 340.01 (2g).

*Bicycle*, as defined in Wis. Stats. § 340.01 (5).

*Commercial Quadricycle*, as defined in Wis. Stats. § 340.01 (8m)

*Electric bicycle*, as defined in Wis. Stats. § 340.01 (15ph).

*Electric personal assistive mobility device*, as defined in Wis. Stats. § 340.01 (15pm).

*Electric scooter*, as defined in Wis. Stats. § 340.01 (15ps).

*Golf cart*, as defined in Wis. Stats. § 23.33(1)(fm)

*Low-speed vehicle*, as defined in Wis. Stats. § 340.01 (27h).

*Moped*, as defined in Wis. Stats. § 340.01 (29m).

*Motor bicycle*, as defined in Wis. Stats. § 340.01 (30).

*Motorcycle*, as defined in Wis. Stats. § 340.01 (32).

*Neighborhood electric vehicle*, shall have the same meaning as a low-speed vehicle.

*Off-road utility vehicle*, as defined in Wis. Stats. § 340.01 (38m)

*Play vehicle*, as defined in Wis. Stats. § 340.01 (43m).

*Snowmobile*, as defined in Wis. Stats. § 340.01 (58a).

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#### 7-7-236 Regulation of Bicycles and Electric Bicycles

(A) *Registration—Required.* No person shall operate a bicycle or electric bicycle customarily kept within the village upon any street of the village without having a village registration tag therefor, and unless such bicycle or electric bicycle is properly registered and has displayed thereon its registration. Registration tags shall be provided for a fee by the village.

- (1) *Application.* Applications for registration shall be made by the owner on forms provided by the Public Safety Department. Such application shall contain owner and bicycle or electric bicycle information as the Chief of Public Safety deems pertinent.
- (2) *Tag.* Upon such application and payment of a registration fee, which is on file at the office of the Village Clerk, the Public Safety Department shall issue to the applicant a registration tag for such bicycle or electric bicycle. Such registration shall be permanent, lasting the lifetime of the bicycle or electric bicycle or until ownership is transferred. The Public Safety Department shall keep a record of the date of issuance of such registration tag, to whom issued and the number thereof. A copy of such application shall be filed with the Public Safety Department.
- (3) *Affixing registration tag to bicycle or electric bicycle.* No bicycle or electric bicycle shall be considered registered until a registration tag is affixed to the bicycle or electric bicycle. The registration tag must remain so affixed until the bicycle or electric bicycle is taken out of operation, sold by the owner or removed by the Public Safety Department upon direction of the municipal judge.
- (4) *Transfer or cancellation.* Within ten days after any bicycle or electric bicycle registered hereunder shall have changed ownership or be dismantled and taken out of use, the person in whose name the bicycle or electric bicycle has been registered shall report such information to the Public Safety Department. In the case of change of ownership, the registration shall thereupon be cancelled and a new license issued to the new owner upon proper application and payment by the new owner of a registration fee which is on file with the village clerk's office. In the case of dismantling and taking out of operation or use, the registration shall be cancelled by the Public Safety Department.

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- (5) *Lost registration tag.* In the case of theft, loss, mutilation or defacing of such license, a new license shall be issued by the department for a fee which is on file at the village clerk's office. No person shall willfully remove, deface or destroy a license.

#### (B) *Operation*

- (1) No person shall operate a bicycle or electric bicycle in the village without the consent of the registered owner.
- (2) Every license issued hereunder shall be deemed to be granted, subject to the following conditions:
  - i. Every person propelling or riding a bicycle or electric bicycle upon a public roadway shall be subject to the provisions of all ordinances and state laws applicable to the operator of any vehicle, except those provisions with reference to equipment of vehicle and except those provisions which by their nature would have no application. Wis. Stats. §§ 346.77 to 346.82, and § 347.489 are adopted by reference as part of this section.
  - ii. Bicycles or electric bicycles will be allowed to be ridden on public sidewalks within the village, provided the operator of a bicycle or electric bicycle upon the sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction.

#### **7-7-237 Regulation of Electric Scooters**

- (A) *Limitations of use on highways, streets or other roadways.* As authorized pursuant to Wis. Stats. § 349.237 (1), No person shall operate or ride upon any electric scooter on public roads and highways within the village having a speed limit of more than 30 miles per hour, unless the street or road has a designated bicycle lane. No person shall operate or ride upon any electric scooter on Oneida Street or Holmgren Way.

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- (B) *Use on sidewalks, bicycle ways, and trails.* A person may operate an electric scooter upon any sidewalk, bicycle way, walking or recreational trail except as otherwise allowed by state law or this Chapter. Every person operating an electric scooter upon a sidewalk, bicycle way, walking or recreational trail shall yield the right-of-way to any pedestrian or bicyclist and shall exercise due care and give an audible signal when passing a bicycle or other electric scooter or a pedestrian proceeding in the same direction.
- (C) *Parking restricted.* As authorized pursuant to Wis. Stats. § 349.237 (3), no person shall park or cause to be parked electric scooters on roadways, sidewalks, bicycle lanes or bicycle ways in the village.
- (D) *Short-term commercial rental.* As authorized pursuant to Wis. Stats. § 349.237 (4), short-term commercial rental of electric scooters is prohibited in the village.
- (E) *Single Rider Requirement.* It shall be unlawful for more than one person to ride on a single electric scooter at any time, regardless of the scooter's design or capacity. No operator of an electric scooter shall permit another person to ride on the scooter with them, whether standing, sitting, or otherwise positioned on the device.

#### **7-7-238 Regulation of Motorized Bicycles, Electric Personal Assistive Devices, All-Terrain Vehicles, and Other Vehicles**

- (A) *Limitations of use on sidewalks, bicycle ways, trails, or Village owned property.* No person shall operate or ride upon any Motor-bicycle, Motorcycle, Moped, Electric Personal Assistive Mobility Device, All-Terrain or Utility Vehicle, Snowmobile, Commercial Quadricycle, Golf Cart, Go Cart, or any other such motor vehicle or vehicle, on any part of a sidewalk, walking or recreational trail, Ashwaubenon Park or any Village owned property except as otherwise allowed by state law or this Chapter.
- (B) *Restricted on highways, streets or other roadways.* No person shall operate or ride upon any Motor-bicycle, Electric Personal Assistive Mobility Device, All-Terrain or Utility Vehicle, Commercial Quadricycle, Scooter, Golf Cart, Go Cart, Play Vehicle, Toy Vehicle or any other such motor vehicle or vehicle that is not registered for use on Highways with the Wisconsin Department of Motor Vehicles, on any highway, roadway, or street within the Village of Ashwaubenon except as otherwise allowed by state law or this Chapter.

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#### 7-7-239      **Regulation of Neighborhood Electric Vehicles and Low-Speed Vehicles**

- (A) *Restricted from operation.* As authorized pursuant to Wis. Stats. § 349.26 (1m), neighborhood electric vehicles and low-speed vehicles shall not be allowed to operate on public roads and highways within the village.

#### 7-7-240      **Helmets**

- (A) Any person less than 16 years of age operating or riding on a bicycle, electric bicycle or electric scooter on a public roadway, bicycle way, or any other public right-of-way under the jurisdiction and control of the Village shall wear a protective helmet designed for bicycle safety. Such helmets shall meet or exceed the impact standards for protective bicycle helmets set by the American National Standards Institute (ANSI) or the Snell Memorial Foundation.
- (1) A person under 16 years of age shall not operate a bicycle, unicycle, skateboard or scooter, nor shall he or she wear in-line or roller skates, nor ride upon a bicycle, unicycle, skateboard, scooter, or in-line or roller skates as a passenger, at a public skateboard recreation facility under the jurisdiction and control of the Village unless that person is wearing a properly fitted and fastened protective helmet that meets or exceeds the impact standards for bicycle helmets set by the American National Standards Institute (ANSI) or the Snell Memorial Foundation, or standards subsequently established by those entities.
- (B) No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of this section.
- (C) This section applies to a child seated in an auxiliary child's seat or trailer designed for attachment to a bicycle.

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#### 7-7-241 Enforcement Procedures and Penalties

(A) *Juveniles under 14 years of age.* The following enforcement procedure shall apply to violations committed by juveniles under 14 years of age:

- (1) *First Offense.* For a first offense, a bicycle violation warning ticket is issued. The child is released. Parents are notified by the public safety officer.
- (2) *Second Offense.* For a second offense, a bicycle violation warning ticket is issued. The child is released. Parents are notified by the designated safety officer. Parents are advised that they are responsible for their child's action and that future violations could result in the parent being cited into court under Wis. Stats. § 346.77.
- (3) *Third Offense.* For a third offense, a bicycle violation ticket is issued. Parents are notified by the public safety officer.

(B) *Juveniles 14—18 Years of Age.* The following enforcement procedure shall apply to violations committed by juveniles 14—18 years of age:

- (1) The officer may issue a warning.
- (2) The officer may issue a municipal citation ordering the offender into municipal court.
- (3) In the case of offenders having a valid state-issued driver's license, the officer may issue a traffic citation.

(C) *Adults over 18 Years of Age.* Officers may issue warnings, municipal or traffic citations, as deemed necessary, for violations committed by adults 18 years of age or older.

(D) *Public Safety Officer to Use Best Judgment.* It is understood that situations differ and a public safety officer must use their best judgment as the occasion warrants.

(E) *Records of Violations.* Records of violations will be kept by the department and will be used to determine whether the current offense is a first, second or third offense.

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#### **7-7-242 Penalties**

- (A) In the case of municipal or traffic citations, penalties will be determined by using the Uniform State Traffic Deposit Schedule or the bond amount set by the village for municipal ordinance violations.
- (B) Except as provided herein, violation of this section is punishable by a forfeiture of not more than \$50. The parent or legal guardian having control or custody of a minor whose conduct violates this section shall be jointly and severally liable with the minor for the amount of a forfeiture imposed pursuant to this section.



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This ordinance was approved / denied by the Village of Ashwaubenon Board of Trustees on the \_\_\_ day of \_\_\_\_\_, 2025.

VILLAGE OF ASHWAUBENON, WISCONSIN

By: \_\_\_\_\_

Mary Kardoskee, Village President

ATTEST:

\_\_\_\_\_  
Kris Teske, Clerk

{SEAL}

Motion to Approve/Deny Ordinance No. 07-1-25 made by: \_\_\_\_\_ seconded by: \_\_\_\_\_

Votes:

Title	Name	Aye	Nay	Other
Trustee (Wards 1 & 2)	K. Servais			
Trustee (Wards 3 & 4)	G. Paul			
Trustee (Wards 5 & 6)	C. Zirbel			
Trustee (Wards 7 & 8)	C. Atkinson			
Trustee (Wards 9 & 10)	J. Krueger			
Trustee (Wards 11 & 12)	T. Flucke			
President	M. Kardoskee			

Date of Publication: