

ORDINANCE NO. 349

Bicycles, Scooters, Skates, Skateboards, Play Vehicles

The Village Board of the Village of Lomira, Wisconsin, hereby ordains Section 22-5 – Bicycles be removed from the municipal code and Chapter 21 – Modes of Transportation be created to read as follows:

Sec. 21-1 (a) Bicycles.

1. Definition. The term “bicycle” as used in this section, has the meaning provided in Wis. Stats. §340.01(5).
 2. Nothing in this section shall be interpreted to prohibit issuance of registration to owners of bicycle-type vehicles having smaller diameter wheels than set forth in Wis. Stats. §340.1(5), upon request, but such registration shall be for the sole purpose of aiding in the recovery of such vehicles in case of loss or theft and shall not be construed as allowing such vehicles to be operated upon the public roadway in violation of Wis. Stats. §346.78.
- (a) Registration application.
- (1) Bicycle registration recommended. Serial number required. If such bicycle has no serial number, a serial number shall be stamped on the frame of such bicycle at the Village Clerk’s office. The Clerk shall write the serial number found or stamped on the bicycle on an application form provided by the Village.
 - (2) Application for a bicycle registration shall be made to the Village of Lomira Clerk who shall provide a proper form therefor. Upon inspection and proper application, the Clerk shall issue, or cause to be issued, a proper bicycle registration sticker, which shall be effective from the date of issue for as long as the registered bicycle remains in that household.
 - (3) Registration display, removal and unauthorized use of bicycle. Bicycle registrations shall be affixed upon the bicycle in a prominent place. No person shall deface or mutilate a registration sticker placed upon any bicycle, nor shall any person take any bicycle from the purpose of riding or propelling the same upon the streets or other public way of the Village without consent of the owner or person in the rightful possession thereof. No person other than the owner shall remove any such registration sticker attached to any bicycle, or upon a change of ownership requiring registration under subsection (b)(2) of this section.
 - (4) Lost or stolen registration. Reissue of lost or stolen registrations will be remade by the Clerk.
 - (5) Change of address. The owner of the bicycle registered in the Village of Lomira shall notify the Village Clerk of any change of address within 30 days of change.
 - (6) Abandoned bicycles. No person shall retain possession of a bicycle found abandoned within the Village of Lomira unless law enforcement is notified by the custodian within 24 hours of the time of discovery.
- (b) Regulation of bicycle operation. The provisions of this section shall apply to all persons operating a bicycle upon the streets in the village, whether such person is a resident of the village or not.
- (1) Carrying passengers. No person shall ride or propel a bicycle on a street of the village with another person upon said bicycle unless such bicycle is so constructed as to be a tandem bicycle. The bicycle shall have a separate seat, separate pedals, and separate handlebars for each additional occupant. The only exception to this subsection shall be to permit more than one person on a bicycle if the operator of the bicycle is 16 years of age or older and the passenger is riding in a carrier equipped as follows:
 - a. Foot stirrup with spoke shields
 - b. Arm rests

- c. Strap going around the waist of the passenger
 - d. Firm seat and back
 - e. Attachment to frame at three points with bolts or nuts
- (2) Lights. Every bicycle operated upon a street between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lamp on the front thereof exhibiting a white light visible from a distance of at least 500 feet to the front, and with a red reflector on the rear as required by state statutes.
 - (3) Dangerous operation. No person shall operate a bicycle upon the streets without having manual control of the handlebars or operate a bicycle in any other manner which necessitates the element of unusual or extraordinary skill and involves unnecessary risk.
 - (4) Riding single file. No person shall ride or propel a bicycle upon any street in the village abreast of any other person riding or propelling a bicycle.
 - (5) Right-turning procedure. The operator of a bicycle intending to turn to the right at an intersection shall approach the point of turning in the traffic lane nearest the right-hand edge or curb of the street, and in turning, shall keep as closely as practicable to the right-hand edge or curb of the highway.
 - (6) Left-turning procedure. The operator of a bicycle intending to turn to the left at an intersection or into private driveway shall make such turn from the traffic lane immediately to the left of the center of the intersection, passing as closely as practicable to the left of the center of the intersection, and shall leave the intersection immediately to the right of the center of the intersecting street.
 - (7) Illegal procedure at signal-controlled intersection. At any intersection where traffic is controlled by a traffic control signal or by a traffic officer, it is unlawful for the operator of a bicycle to turn the same at the intersection so as to proceed in the opposite direction.
 - (8) U-turns. It is unlawful for the operator of any bicycle operating on any street in a business district, or upon any artery for through traffic in a residential district, to turn such bicycle so as to proceed in the opposite direction at any place, except at an intersection where such turns are permitted.
 - (9) Passing other bicyclists. The operator of any bicycle overtaking another bicycle proceeding in the same direction shall pass such vehicle at a safe distance to the left thereof, but no person operating a bicycle shall pass or attempt to pass another bicycle proceeding in the same direction unless such passing can be made in safety and at a place on a street other than at an intersection.
 - (10) Obedience to traffic officer. It is unlawful for the operator of any bicycle to refuse or fail to comply with any lawful order, signal, or direction of a traffic officer, and it is unlawful for any such operator of such bicycle upon any street to disobey the instructions of any official traffic sign, or signal placed in accordance with the laws of the state and with this Code.
 - (11) Clinging to other vehicles. No person riding a bicycle shall cling to or attach themselves or a bicycle to any moving vehicle.
 - (12) Contests with other vehicles. No person operating a bicycle shall participate in any race, speed, or endurance contest with any other moving vehicle on a Village street.
 - (13) Stunt riding. No rider of a bicycle shall practice any fancy or acrobatic riding or stunts while operating such bicycle.
 - (14) Parking. No bicycle shall be parked upon any sidewalk area or upon any roadway area in such a manner as to interfere with free passage of the public.
 - (15) Riding on sidewalks. Bicyclists shall be permitted to ride bicycles on sidewalks, providing they yield to pedestrians.
 - (16) Age limits. No person less than eight years of age shall operate a bicycle on Village streets, except that persons six and seven years of age may operate a bicycle on Village streets during daylight hours if accompanied by an adult also on a bicycle.

Section 21-2 Electric scooter regulations.

- (a) Defined. Electric scooter means a device weighing less than 100 pounds that has handlebars and an electric motor, is powered solely by the electric motor and human power and has a maximum speed of not more than 15 miles per hour on paved level surface when powered solely by the electric motor.
- (b) State laws applicable. Every person using an electric scooter 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 the equipment of vehicles and those provisions that, by their nature, would have no application.
- (c) Riding on roadway.
 - (1) Every person using an electric scooter upon a two-way public street shall ride as near as practicable to within five feet of the right curb or edge of the roadway, except when passing another vehicle or making a left-hand turn; and when riding in groups, users of electric scooters shall ride in single file, except on residential streets which are not divided by painted or other marked extra lines where they may ride two abreast. On one-way roads, the user may ride as near as practicable to within five feet of the left-hand curb or edge of the roadway.
 - (2) Persons using electric scooters shall not impede the normal movement of motor vehicle traffic.
- (d) Bicycle ways. Operation of electric scooters shall be permitted on any ways, lanes, trails, paths, or other property designated for the use and operation of bicycles.
- (e) Clinging to other vehicles. No person using an electric scooter shall cling to or attach themselves or an electric scooter to any moving vehicle.
- (f) Contests with other vehicles; stunt riding. No person using an electric scooter shall participate in any race, speed, or endurance contest with any other moving vehicle on a city roadway or practice any fancy or acrobatic riding or stunts while operating such electric scooter.
- (g) Observance of traffic regulations and speed limits. Every person using an electric scooter upon a public roadway shall obey all the instructions of official traffic-control devices, signs, and signals applicable to vehicles and shall not operate an electric scooter at a speed greater than the speed limit.
- (h) Yielding to traffic. The operator of a vehicle shall yield the right-of-way to a person using an electric scooter in the same manner as for bicyclists and pedestrians. When using an electric scooter, every person shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using an electric scooter shall be subject to the same regulations as bicyclists and pedestrians. Operators of electric scooters shall offer the right of way to bicycles in bike lanes and on bike paths.
- (i) Towing of persons, vehicles, trailers, prohibited. The operator of an electric scooter shall not tow, drag, or caused to be drawn behind the electric scooter any coaster, sled, toy vehicle, trailer, person on in-line skates, or any other type of conveyance.
- (j) Carrying of passengers. No electric scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.
- (k) Age limits. No person less than eight years of age shall operate an electric scooter on Village roadways, except that persons six or seven years of age may do so during daylight hours if accompanied by an adult capable of remaining close enough to ensure the safe operation of the scooter by the six- or seven-year-old, such as by walking or running alongside, using their own electric scooter or bicycle, or engaging in a similar activity. This subsection is intended to permit usage of electric scooters by families.

- (l) Equipment regulations; lamps and reflectors. Every person using electric scooters between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lamp firmly attached to the front of such electric scooter exhibiting a white light to the front, and with a reflector or a lamp mounted on the rear of the vehicle visible at a distance of 500 feet. The reflector shall not be less than three inches in diameter.

Section 21-3 Skateboard regulations.

- (a) Skateboarders to yield. Skateboarding is permitted on sidewalks, provided that pedestrians shall have the right-of-way over skateboarders. Skateboarders shall dismount when meeting or overtaking pedestrians and shall either discontinue skateboarding or walk the skateboard past the pedestrian in such a manner as to ensure the safety of both the skateboarder and pedestrian.
- (b) Private property. It shall be unlawful for any person to skateboard on the private driveway or paved parking lot of another unless said skateboarder has first obtained permission from the homeowner or person in control of said property. A citation may be issued only upon complaint by the property owner or person in control of the property.
- (c) Riding on roadway. Every person using a skateboard on a two-way public street or alley shall keep as close to the right-hand curb as possible and shall proceed with traffic. Every person using a skateboard upon a one-way public street or alley shall proceed in the direction of the one-way traffic.
- (d) Every person using a skateboard upon a roadway shall ride single file on all public roadways which have centerlines or have lines indicated by painting or other markings. On public roadways and alleys not divided by painted or other marked centerlines or lane lines, skateboarders may ride two abreast.
- (e) Persons using skateboards upon a public roadway shall not impede the normal and reasonable movement of motor vehicle traffic.
- (f) Clinging to moving vehicles prohibited. It shall be unlawful for any person using skateboards to cling to or attach to any bicycle or other moving vehicle upon a public roadway.
- (g) Observance of traffic regulations. Every person using skateboards upon a public roadway shall stop for all stop signs and traffic signals.
- (h) Yielding to traffic. The operator of a vehicle shall yield the right-of-way to a user of a skateboard in the same manner as for bicyclists and pedestrians. When using a skateboard, every person shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using a skateboard shall be subject to the same regulations as bicyclists and pedestrians.

Section 21-4 In-line skate regulations.

- (a) State laws applicable. Every person using in-line skates 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 vehicles and those provisions that, by their nature, would have no application.
- (b) Public sidewalks or walkways. Every person using in-line skates upon a sidewalk or walkway shall yield the right-of-way to any pedestrian and shall exercise due care when passing any other person.
- (c) Riding on roadway.
 - (1) Every person using in-line skates on a two-way public street or alley shall keep as close to the right-hand curb as possible and shall proceed with traffic. Every person using in-line skates upon a one-way public street or alley shall proceed in the direction of the one-way traffic.
 - (2) Every person using in-line skates upon a roadway shall ride single file on all public roadways which have centerlines or have lines indicated by painting or other

markings. On public roadways and alleys not divided by painted or other marked centerlines or lane lines, in-line skaters may ride two abreast.

- (3) Persons using in-line skates upon a public roadway shall not impede the normal and reasonable movement of motor vehicle traffic.
- (d) Clinging to moving vehicles prohibited. It shall be unlawful for any person using in-line skates to cling to or attach to any bicycle or other moving vehicle upon a public roadway.
- (e) Observance of traffic regulations. Every person using in-line skates upon a public roadway shall stop for all stop signs and traffic signals.
- (f) Yielding to traffic. The operator of a vehicle shall yield the right-of-way to a user of in-line skates in the same manner as for bicyclists and pedestrians. When using in-line skates, every person shall, upon entering a public roadway, yield the right-of-way to motor vehicles, except that a person using in-line skates shall be subject to the same regulations as bicyclists and pedestrians.
- (g) Private property. It shall be unlawful for any person to in-line skate on the private driveway or paved parking lot of another unless said in-line skater has first obtained permission from the homeowner or person in control of said property. A citation may be issued only upon complaint by the property owner or person in control of the property.
- (h) Equipment regulations; lamps and reflectors. Every person using in-line skates between one-half hour after sunset and one-half hour before sunrise shall be equipped with a lamp firmly attached to the front of such person exhibiting a white light to the front, and with a reflector or a lamp mounted on the rear of the vehicle visible at a distance of 500 feet. The reflector shall not be less than three inches in diameter.

Section 21- 5 Play Vehicles.

- (a) Defined. Any vehicle powered electrically or through the use of any form of internal combustion engine.
- (b) Vehicles and play vehicles are prohibited from being ridden on any village roadway except those roadways that may be specifically designated by the village board for play vehicle usage. Such designations by the board of the village shall be filed with the village clerk and law enforcement.

Section 21-6 to Section 21-10 RESERVED.

Section 21-11. Penalty.

- (a) First offense. If a juvenile, requires a conference between the police department, the juvenile and the child's parents or guardian. If an adult, the penalty shall be the same as for a second offense
- (b) Second offense. If a juvenile, requires a conference between the police department, the juvenile and the child's parents or guardian, plus \$25.00 penalty and court costs.
- (c) Third offense. If a juvenile, requires a conference between the police department, the juvenile and the child's parents or guardian, plus \$5.00 penalty and court costs.

Moved by Tr. More, seconded by Tr. Kohlmann,
to adopt Ordinance No. 349 as presented.

Roll call showed the following results: Ayes: Luedtke, Jewell, Kohlmann,
Lomana, More, Puzos, Ritger

Nays: — Absent: —

Motion carried.

Passed and adopted this 9 day of August, 2023.

ATTEST:
Donald Luedtke
Donald Luedtke
Village President

Jenna Rhein
Jenna Rhein
Village Administrator-Clerk-Treasurer