

ENROLLED ORDINANCE 176-16

REPEAL AND RECREATE CHAPTER 14, ARTICLE II, SECTIONS 14-164(i) and 14-165 OF THE CODE OF ORDINANCES TO PROHIBIT THE USE OF MOTOR VEHICLES ON RECREATIONAL TRAILS AND TO AUTHORIZE THE OPERATION OF CLASS 1 ELECTRIC BICYCLES ON ALL WAUKESHA COUNTY RECREATIONAL TRAILS AND DESIGNATED WAUKESHA COUNTY PARK MOUNTAIN BIKE TRAILS

WHEREAS, the operation of motorized vehicles, except for Waukesha County Parks maintenance vehicles and emergency vehicles, is prohibited on all Waukesha County Recreational Trails and all Waukesha County Park Trails; and

WHEREAS, the popularity and use of electric bicycles (E-Bikes) has increased in recent years; and

WHEREAS, Wis. Stat. § 340.01(15ph) defines an electric bicycle equipped with fully operative pedals for propulsion by human power and an electric motor of 750 watts or less and that meets the requirements of any of the following classifications: (a) Class 1 electric bicycle is an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour, (b) Class 2 electric bicycle is an electric bicycle that may be powered solely by the motor and is not capable of providing assistance when the bicycle reaches the speed of 20 miles per hour, (c) Class 3 electric bicycle is an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling and that ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour; and

WHEREAS, Wis. Stat. §346.806(3)(a) states that a person may ride an electric bicycle upon a bikeway, as defined under Wis. Stat. §84.60(1)(a), under the jurisdiction of a municipality or county, subject to any restrictions specified in an ordinance enacted under Wis. Stat. § 349.18(4)(a); and

WHEREAS, a bikeway is defined under Wis. Stat. § 84.60(1)(a) as a public path, trail, lane or other way, including structures, traffic control devices and related support facilities and parking areas, designated for use by bicycles, electric scooters, electric personal assistive mobility devices, and other vehicles propelled by human power; and

WHEREAS, Wis. Stat. § 349.18(4)(a) states that the governing body of a municipality or county may, by ordinance, prohibit the operation, with the power unit in operation, of electric bicycles on bikeways, as defined under Wis. Stat. § 84.60(1)(a), under its jurisdiction.

THE COUNTY BOARD OF SUPERVISORS OF THE COUNTY OF WAUKESHA ORDAINS that the text of the Parks and Recreation Ordinance regulating the use of motor vehicles found in Chapter 14, Article II, Section 14-164(i) is hereby repealed and recreated to read as follows:

(i) No person shall operate or park any motor vehicle, including, but not limited to electric scooters, self-balancing devices such as segway, hover boards, and unicycles, and golf carts, except as provided in this subchapter, upon any bridle path, hiking trail,

beach area, playground, picnic area, recreational trail or any other area than established roads, parking areas, lake access and service areas or contrary to posted notice or within any park seasonally closed to vehicular traffic.


BE IT FURTHER ORDAINED that that the text of the Parks and Recreation Ordinance regulating the use of bicycles found in Chapter 14, Article II, Section 14-165 of the Waukesha County Code of Ordinances is hereby repealed and recreated to read as follows:

- (a) The term bicycle(s) shall include class 1 electric bicycles, as defined in Wis. Stat. § 340.01(15ph).
- (b) The operation of class 1 electric bicycles is allowed, whereas, the operation of class 2 and class 3 electric bicycles is not allowed.
- (c) Riders of bicycles shall comply with Wisconsin Statutes, sections 346.77 through 346.82.
- (d) Bicycles are only allowed on designated trails.
- (e) Bicycle riders shall proceed in the extreme right-hand lane of the drives at all times, in a single file only.
- (f) A bicycle shall not be towed by a rope or otherwise, nor shall any rider hold on to any moving vehicle for purpose of being drawn along.
- (g) Children riding bicycles that have wheels less than twenty (20) inches in diameter may use the footwalks.
- (h) Wherever possible, bicycles shall be parked in places provided for such purpose.


BE IT FURTHER ORDAINED that the changes to the text of the Code of Ordinances in Section 14-164(i) and Section 14-165 shall be effective as of June 1, 2021.

REPEAL AND RECREATE CHAPTER 14, ARTICLE II, SECTIONS 14-164(i) and 14-165 OF THE CODE OF ORDINANCES TO PROHIBIT THE USE OF MOTOR VEHICLES ON RECREATIONAL TRAILS AND TO AUTHORIZE THE OPERATION OF CLASS 1 ELECTRIC BICYCLES ON ALL WAUKESHA COUNTY RECREATIONAL TRAILS AND DESIGNATED WAUKESHA COUNTY PARK MOUNTAIN BIKE TRAILS

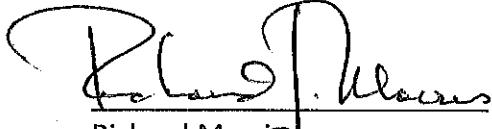
Presented by:
Land Use, Parks, and Environment Committee

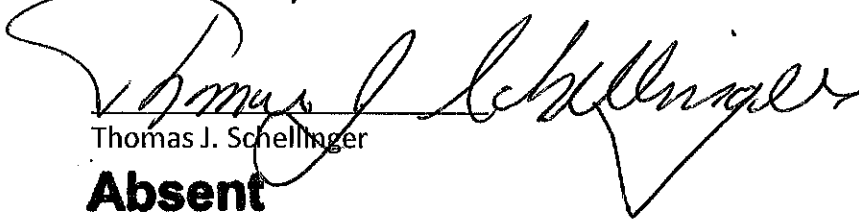

William A. Mitchell, Chair


Keith Hammitt


Thomas A. Michalski


Chris Mommaerts

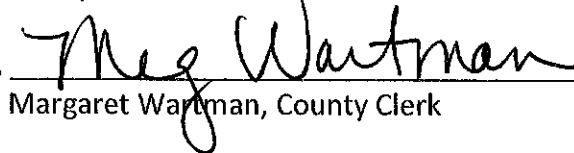

Richard Morris


Thomas J. Schellinger

Absent

Steve Whittow

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, was presented to the County Executive on:

Date: June 1, 2021, 
Margaret Wartman, County Clerk

The foregoing legislation adopted by the County Board of Supervisors of Waukesha County, Wisconsin, is hereby:

Approved: X

Vetoed: _____


Date: 6/2/2021, 
Paul Farrow, County Executive

VOTING RESULTS

AVE 25 NAV ABSTAIN | ABSENT 0

Ordinance 176-O-016

Ordinance 176-O-016: Repeal and Recreate Chapter 1...

 **Passed By Majority Vote**

D1 - Foti	AVE
D2 - Zimmermann	AVE
D3 - Morris	AVE
D4 - Batzko	AVE
D5 - Dondlinger	AVE
D6 - Walz	AVE
D7 - LaFontain	AVE
D8 - Michalski	AVE
D9 - Heinrich	AVE
D10 - Swan	AVE
D11 - Howard	AVE
D12 - Wolf	AVE
D13 - Decker	AVE

D14 - Mommaerts	AVE
D15 - Mitchell	AVE
D16 - Crowley	AVE
D17 - Paulson	AVE
D18 - Nelson	AVE
D19 - Cummings	AVE
D20 - Schellinger	AVE
D21 - Gaughan	AVE
D22 - Wvsocki	AVE
D23 - Hammitt	AVE
D24 - Whittow	AVE
D25 - Johnson	AVE

May 25 2021 - May 25 2021 07:14:23 PM

