

Chapter 26 Rental electric scooters, ATV/UTV and similar devices.

26.01 Authority This chapter is enacted pursuant to the Home Rule authority granted by Chapter 66 and specific authorizations found in Chapters 23 and 349 of the Wisconsin Statutes.

26.02 Findings. The Village Board also finds that the introduction of rented electric scooters and ATV/UTV will have a deleterious effect on the already congested streets roads and highways within the village. This would result in decreased traffic flow, an increase in accidents and interfere with the safety and health of the village residents and visitors.

26.03 Definitions.

As used in this chapter, the following terms shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

“All-terrain vehicle” means “means a commercially designed and manufactured motor-driven device that has a weight, without fluids, of 900 pounds or less, has a width of not more than 50 inches as measured laterally between the outermost wheel rim on each side of the vehicle, exclusive of tires, mirrors, and accessories that are not essential to the vehicle's basic operation, is equipped with a seat designed to be straddled by the operator, and travels on 3 or more tires. Adopting *s. 340.01 (2g) Wis. Stats.*

“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 with a maximum speed of not more than 20 miles per hour on a paved level surface when powered solely by the electric motor. “Electric scooter” does not include an electric personal assistive mobility device, motorcycle, motor bicycle, electric bicycle, or moped. Adopting the definition of *s.340.01 (15ps) Wis. Stats.*

“Short-term rental” means rental of all-terrain vehicles and utility terrain vehicles (ATV/UTV), mopeds, electric scooters by the hour and/or for periods of less than 30 days.

“Utility Terrain Vehicle” adopting the definition of utility terrain vehicle in *s. 23.33(ng) Wis. Stats.*

26.04 Prohibited Rentals. No person, firm, partnership, limited liability company corporation or association shall engage in the business of short-term rental of all-terrain vehicles and utility terrain vehicles (ATV/UTV), mopeds, electric skateboards, and electric scooters, in the Village of Lake Delton.

26.05 Penalties. A. Any person, agent, firm, or corporation violating any provision of this chapter shall, upon conviction thereof, forfeit one hundred dollars (\$100.00) for the first offense, with a deposit required of one hundred dollars (\$100.00) and not more than five hundred dollars (\$500.00) for the second offense occurring with one year, with a deposit of five hundred dollars (\$500.00), and the costs of prosecution. A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

26.06 Enforcement. The Village Zoning Administrator shall be responsible for enforcing this chapter.

26.07 Severability The provisions of this ordinance shall be severable. It is expressly declared that the Village Board would have passed the other provisions of this ordinance irrespective of that one or more provisions may be declared invalid. If any provision of this ordinance is invalid or unconstitutional, or if the application of this ordinance to any person or circumstance is held invalid or unconstitutional for any reason, the remainder of the ordinance and the application of such provisions to the persons and circumstances shall not be affected thereby.

26.08 Effective date This ordinance shall take effect and be enforced from and after passage and publication as provided by law.