

Chapter 10.08

BICYCLES

Sections:

10.08.090 Hours of operation--Age limit.

10.08.100 Parking.

10.08.110 Riding on sidewalks or the bicycle way.

10.08.120 Designation of the bicycle way.

10.08.090 Hours of operation--Age limit. No person under the age of twelve years shall operate a bicycle upon any public street, highway, boulevard, sidewalk or alley between the hours of nine p.m. and five a.m. (Ord. 4471, 1984; Ord. 3313 §XXII(part), 1972; prior code §17.10(j)).

10.08.100 Parking. No person shall park a bicycle upon a street, against the curb, upon the sidewalk, upon the sidewalk in a rack to support the bicycle, or against a building or at the curb, in such a manner as to obstruct normal pedestrian traffic. (Ord. 4471, 1984; Ord. 3313 §XXII(part), 1972; prior code §17.10(j)).

10.08.110 Riding on sidewalks or the bicycle way. No person shall ride a bicycle upon a sidewalk within the following areas:

1. Central Business District Area: The area bounded by Madison Street, Dewey Street, Lake Street and the Chippewa River.

2. Water Street District: The area bounded by the Chippewa River, First Avenue, Chippewa Street and Sixth Avenue, except on the south side of Water Street from First Avenue to Third Avenue and on the north side of Water Street from First Avenue to Second Avenue.

3. Madison Street--Bellinger Street District: The area bounded by Oxford Avenue, Cameron Street, Bellinger Street and Randall Street.

A. Signs. The chief of police is authorized to cause signs to be erected on any sidewalk or roadway prohibiting riding bicycles thereon by any person and when such signs are in place, no person shall disobey the same.

B. Right-of-way. Whenever any person is riding a bicycle upon a sidewalk or the bicycle way, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian. (Ord. 5736 §2, 1997; Ord. 4583, 1985; Ord. 3473, 1974; Ord. 3313 §XXII(part), 1972; prior code §17.10(k)).

10.08.120 Designation of the bicycle way. A. The following path is designated as the bicycle way: Commencing at the north end of the former railroad bridge on First Avenue, the bicycle way follows south along the west side of the Chippewa River and connects to First Avenue at Grand Avenue. The bicycle way continues following city sidewalk along First Avenue to the south, underneath the Lake Street bridge and into Owen Park. The bicycle way then goes south through Owen Park and underneath the Water Street bridge, turning along the north shore of the Chippewa River. The bicycle way then continues west along the north shore of the Chippewa River to Sixth Avenue. At Sixth Avenue the bicycle way follows the city sidewalk to Seventh Avenue. The bicycle way then starts again at the south end of Seventh Avenue and continues to the west along the north shore of the Chippewa River until it intersects with the former railroad bridge located off Menomonie Street. The bicycle way crosses to the south side of the Chippewa River at that point and continues west to the Eau Claire city limits.

B. All motorized vehicles except authorized city vehicles are prohibited from using any portion of the bicycle way.

C. The director of parks and recreation is authorized to cause signs to be erected designating the bicycle way and prohibiting the use of motorized vehicles. No person shall disobey any such sign. (Ord. 5736 §3, 1997).

Chapter 10.09

MOTOR SCOOTERS

Sections:

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10.09.020 Operating motor scooters.

10.09.030 Right of way.

10.09.040 Special rules applicable to motor scooters.

10.09.050 Signs.

10.09.060 Parking.

10.09.070 Responsibility of parent or guardian.

10.09.010 Definition. A motor scooter shall be defined as a play vehicle under Wisconsin Statutes section 340.01 (43m). A motor scooter shall mean a play vehicle such as a coaster, skateboard, or unicycle that is equipped with an engine that cannot propel the device more than 15 miles per hour, has a T bar for steering, and a deck for standing or seat for sitting. A motor scooter under this section does not meet federal safety standards to be operated on the highway. A motor scooter shall not include a vehicle that can be legally registered by the state of Wisconsin and operated on the highway, or a device defined as an electric personal assistive mobility device under Wisconsin Statutes section 340.01(15pm). (Ord. 6438 §1, 2003).

10.09.020 Operating motor scooters. Operation of a motor scooter is permitted on a sidewalk, except that no person shall operate a motor scooter:

A. On a highway, pursuant to Wisconsin Statutes section 346.78, except as provided in section 9.76.055 of this code.

B. On a sidewalk in prohibited areas designated in section 10.08.110 of this code.

C. In any public parking ramp or parking lot, except as provided in section 9.76.055 of this code.

D. On private property, unless permission has been received from the owner, lessee, or person in charge of that property.

E. On any public step, railing, wall, or any appurtenance to a public way.

F. On a bicycle way as designated in section 10.08.120 of this code.

G. On the Grand Avenue Bridge as provided in chapter 10.16 of this code. (Ord. 6438 §1, 2003).

10.09.030 Right of way. Whenever a person rides a motor scooter upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall exercise due care and shall give an audible signal before overtaking or passing a bicycle, an electric personal assistive mobility device, or a pedestrian proceeding in the same direction. (Ord. 6438 §1, 2003).

10.09.040 Special rules applicable to motor scooters. Whenever a motor scooter is operated on a sidewalk, the following rules apply:

A. No motor scooter shall be used to carry or transport more persons at one time than the number for which it is designated.

B. No person operating a motor scooter shall carry any package, bundle, or article which prevents the operator from keeping at least one hand upon the handle bars.

C. No person operating a motor scooter shall attach himself or herself or the motor scooter to any other motor scooter, bicycle, or motor vehicle. (Ord. 6438 §1, 2003).

10.09.050 Signs. Signs authorized under city of Eau Claire ordinance section 10.08.110 A. prohibiting bicycles shall apply to motor scooters. (Ord. 6438 §1, 2003).

10.09.060 Parking. No person shall park a motor scooter in such a way as to obstruct normal vehicle or pedestrian traffic. (Ord. 6438 §1, 2003).

10.09.070 Responsibility of parent or guardian. Pursuant to Wisconsin Statutes section 346.77, no parent or guardian shall authorize or knowingly permit a child operating a motor scooter to violate any provisions of this chapter. (Ord. 6438 §1, 2003).

Chapter 10.10

NEIGHBORHOOD ELECTRIC VEHICLES

Sections:

10.10.010 Purpose.

10.10.020 Definitions.

10.10.030 Use permitted on city streets.

10.10.040 Permitted users.

10.10.050 Operation.

10.10.060 License.

10.10.070 Penalty.

10.10.010 Purpose. The city council finds that when operated according to state and local rules of the road, neighborhood electric vehicles are a reasonably safe form of transportation, compatible with other users of certain city streets with moderate speed limits. Therefore, by authority granted in s. 349.26, Wis. Stats., limited use of these vehicles is permitted as provided in this chapter. (Ord. 6776, 2007).

10.10.020 Definitions. A. "Neighborhood electric vehicle" (NEV) shall have the same meaning as provided in Wisconsin Statutes s. 340.01(36r).

B. Repealed by ord. 6815. (Ord. 6815 §1, 2008; Ord. 6776, 2007).

10.10.030 Use permitted on city streets. Any individual may operate an NEV on the streets and sections of streets lying entirely within of the city having a posted speed limit of 35 miles per hour or less. If vehicle specifications are less than 35 miles per hour, the applicant is required to place a slow moving vehicle sign on the vehicle. (Ord. 6776, 2007).

10.10.040 Permitted users. No person may operate an NEV on any street unless the person has a valid operator's license pursuant to Wisconsin Statutes s. 343.05. (Ord. 6815 §2, 2008; Ord. 6776, 2007).

10.10.050 Operation. The operation of an NEV as permitted herein shall comply in all respects with chapter 10 of the code of ordinances, as applicable to the operation of motor vehicles. (Ord. 6776, 2007).

10.10.060 License. An NEV shall be licensed by the state pursuant to Wisconsin Statutes s. 341.25. The license shall be displayed in the rear window of the NEV. If no rear window exists, the license shall be displayed in a clear plastic waterproof holder hung from the rear of the NEV top. (Ord. 6815 §3, 2008; Ord. 6776, 2007).

10.10.070 Penalty. Any person convicted of violating any of the provisions of this chapter shall forfeit not less than \$50 nor more than \$200, plus court and prosecution costs, and in default of such payment shall be imprisoned in the county jail until such forfeiture is paid, but not exceeding 90 days. (Ord. 6776, 2007).