

## ORDINANCE NO. 639

### AN ORDINANCE TO CREATE SECTION 7.12 OF THE MUNICIPAL CODE OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN RELATED TO LOW SPEED VEHICLES

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THE COMMON COUNCIL OF THE CITY OF DELAFIELD, WAUKESHA COUNTY, WISCONSIN, DOES ORDAIN AS FOLLOWS:

#### **SECTION 1: Section 7.12 of the Municipal Code is hereby created to read as follows:**

#### **7.12 LOW-SPEED VEHICLES PERMITTED.**

- (1) **DEFINITION.** A “Low-speed vehicle” (LSV) means a self-propelled motor vehicle that conforms to the definition and requirements as adopted in the federal motor vehicle safety standards for “low-speed vehicles” under 49 CFR 571.3(b) and 571.500. “Low-speed vehicle” does not include golf carts.
- (2) **REQUIREMENTS.** LSVs shall be four-wheeled and have a speed range of at least 20 mph and not more than 25 mph on a paved surface and have a gross vehicle weight at rest of less than 2,500 pounds. LSVs shall have:

  - (a) Head lamps.
  - (b) Front and rear turn signals.
  - (c) Stop lamps.
  - (d) Reflex reflectors: one red on each side as far to the rear as practicable, and one red on the rear (three total).
  - (e) An exterior mirror mounted on the driver’s side, and either an exterior mirror on the passenger side or an interior rearview mirror.
  - (f) A parking brake.
  - (g) A windshield that conforms to the requirements of the federal motor vehicle safety standard on glazing materials (49 CFR 571.205).
  - (h) A vehicle identification number (VIN) that complies with federal law (49 CFR 565).
  - (i) A Type 1 or Type 2 seatbelt assembly conforming to 49 CFR 571.209 and federal motor vehicle safety standard No. 209 for each designated seating position.
  - (j) Meets the general test conditions under 49 CFR 571.50056.
- (3) **PERMITTED USERS OF LOW-SPEED VEHICLES.** To use a LSV on city streets, the operator must have a valid Wisconsin driver’s license,
- (4) **OPERATION.** Operation of a LSV within the City of Delafield is permitted on roadways and alleys located within the territorial boundaries of the City of Delafield, subject to the following prohibitions:

  - (a) Operation of a LSV is prohibited on any roadway with a speed limit greater than 35 mph.
  - (b) Operation of a LSV is prohibited on any municipal sidewalk or recreational trail.

- (c) Operation of a LSV is prohibited within any municipal park, golf course, or recreational area except on a roadway or parking area routinely open to motor vehicle traffic.
- (d) Headlamps must be on at all times during operation of a LSV on city streets.
- (5) **OPERATIONAL REQUIREMENTS OF LOW-SPEED VEHICLES.** LSVs shall comply with all state and local traffic laws, including but not limited to, Chapter 7 of the Municipal Code of Ordinances, and owners and operators of LSVs shall be subject to citations and forfeitures for any violations.
- (6) **REGISTRATION.** LSVs operated within the City of Delafield shall be registered with the Wisconsin Department of Transportation and shall display that registration in accordance with Chapter 341 of the Wisconsin Statutes.
- (7) **ENFORCEMENT.** Any person who violates any provision of this section shall be subject to a forfeiture as provided in §7.20 of this chapter.
- (8) **SEVERABILITY.** If any portion of this ordinance or its application to any person or circumstances is held invalid, the validity of this section as a whole, or any other provision herein and its application to other persons or circumstances, shall not be affected.

**SECTION 2:** All ordinances or parts of this ordinance conflicting or contravening the provisions of this ordinance are hereby repealed.

**SECTION 3.** This ordinance shall become effective on October 1, 2010.

Adopted this 7<sup>th</sup> day of June, 2010.

CITY OF DELAFIELD

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Ed McAleer, Mayor

ATTEST:

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Gina C. Gresch, MMC/WCPC  
City of Delafield Clerk-Treasurer  
Waukesha County

Date Adopted: June 7, 2010  
Date Published: June 15, 2010  
Effective Date: October 1, 2010