ORDINANCE NO. 860

AN ORDINANCE TO AMEND SECTIONS OF CHAPTER 94 OF THE CITY OF FORT ATKINSON CODE OF GENERAL ORDINANCES RELATING TO ELECTRIC BIKES AND SCOOTERS

NOW THEREFORE, the City Council of the City of Fort Atkinson, Wisconsin, does hereby ordain as follows:

Section 1. Amends Section 94-201(4) of the City of Fort Atkinson Municipal Code to read as follows:

"The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

(1) *Curb* means the lateral boundaries of that portion of a street designed for the use of vehicles, whether marked by a curb or not.

(2) *Registration sticker* means a sticker indicating that a bicycle, e-bike or e-scooter is registered.

(3) *e-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 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.

(4) *ELECTRONIC BICYCLE (E-BIKE)* – a bicycle that is equipped with fully operational pedals for propulsion by human power and an electronic motor of 750 watts or less and that meets the requirements of any of the following classifications:

(a) Class 1 E-Bike: 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 E-Bike: 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 E-Bike: 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. Class 3 E-Bikes must have a speedometer (WI §347.789(3M)(d) and may not be operated by anyone under the age of 16 (WI §346.806(4)).

(Ord. No. 785, 10-15-19)

Cross reference(s)—Definitions generally, § 1-2."

Section 2. Amends Section 94-215 relating to Improper riding, trick riding, racing of bikes, e-bikes, and e-scooters, of the City of Fort Atkinson Municipal Code to read as follows:

"(a) No person driving a bicycle, e-bike or e-scooter upon a public highway, recreational path, sidewalk or street shall participate in any race, speed or endurance contest.

(b) No person riding or operating a bicycle, e-bike or e-scooter shall perform or attempt to perform any acrobatic, fancy or stunt riding upon any public highway, recreational path, sidewalk or street.

(c) No person riding a bicycle, e-scooter, or e-bike shall attach himself or herself to his or her bicycle, e-scooter, or e-bike to any vehicle upon a roadway or street.

(d) Except as provided in Subsection (e), no bicycle, e-scooter, or e-bike may be used to carry out or transport more persons at one time that the number for which it is designed.

(e) In addition to the operator, a bicycle otherwise designed to carry one the operator may be used top carry or transport a child seated in an auxiliary child's seat or trailer designed for attachment to a bicycle if the seat or trailer is securely attached to the bicycle according to the directions of the manufacturer of the seat or trailer.

(f) Every person riding a bicycle, e-scooter, or e-bike upon any street in the City shall obey all traffic signs and signals and shall stop at all stop signs.

(g) No bicycle or e-bike shall be ridden faster than is reasonable and proper and every bicycle shall be operated with reasonable regard for safety of the operator and person upon the streets of the City.

(h) No person shall operate a bicycle, e-scooter, or e-bike upon any street of the City while under the influence of alcohol or drugs.

(i) During the hours of darkness, bicycles, e-bikes, motor-bicycles, and e-scooters must be equipped with a white front light visible from at least 500 feet. It must also have a rear red reflector visible from 50-500 feet when illuminated by headlights, or instead use a red rear light visible from 500 feet (§347.489(1) Wis. Stat.).

(j) No person under the age of 16 years shall operate a Class 3 electric bike (§346.806(4) Wis. Stat.).

(Ord. No. 785, 10-15-19)"

Section 3. Amends Sec. 94-221 to read as follows:

"Sec. 94-221. Parental Responsibility.

Any parent or guardian of any child who authorizes or knowingly permits such child to violate any provision of this chapter may be issued a citation and may be subject, upon conviction, to a fine of $10 plus court costs for a first offense, and a fine of $50 public court costs for subsequent offenses within one year of the first offense.

Secs. 94-222 – 94-240. Reserved."

Section 4. Effective Date. This ordinance shall take effect on after passage, publication, and attestation as required by law.

Enacted by the City Council of the City of Fort Atkinson, Jefferson County, Wisconsin, this 1st day of September, 2026.

Fort Atkinson City Council

Kyle Jaeckel, President

ATTEST:

Michelle Ebbert, City Clerk/Treasurer/Finance Director