

**CITY OF WEST ALLIS
ORDINANCE O-2023-0062**

**ORDINANCE TO ALLOW FOR OPTIONAL BICYCLE AND MOTOR BICYCLE
REGISTRATION BY CITY RESIDENTS**

AMENDING SECTION 10.15 AND REPEALING SECTION 10.155

WHEREAS, Wis. Stat. 349.18(2) allows the city to regulate bicycles and motor bicycles, including registration;

NOW THEREFORE, the common council of the City of West Allis do ordain as follows:

SECTION 1: **AMENDMENT** “10.15 Bicycle Registration” of the City Of West Allis Municipal Code is hereby *amended* as follows:

A M E N D M E N T

10.15 Bicycle and Motor Bicycle Registration

1. Definitions. See Wis. Stat. 340.01 ~~“Bicycle” means every device propelled by the feet acting upon pedals and having wheels, any two (2) of which are not less than fourteen (14) inches in diameter.~~
2. Registration of Bicycles and Motor Bicycles ~~Required.~~ Any resident of the City who owns a bicycle or motor bicycle may register that vehicle with the police chief. No resident of the City is required to register a bicycle or motor bicycle. ~~It shall be unlawful for any person to operate a bicycle upon any street, sidewalk or alley in the City of West Allis unless it has been licensed by and bears a current license plate or sticker issued by the City of West Allis or another jurisdiction.~~
3. Application for Registration. ~~West Allis residents may obtain applications for registration at the Police Department on such forms as the Police Department shall provide. Each application shall contain~~ To register a bicycle or motor bicycle, the owner shall submit a registration application to the police chief which contains the name and address of the owner, a complete description of the bicycle-vehicle and may contain such any additional information required by the police chief as the Police Department deems advisable. The applicant shall also pay at the time of application the registration fee listed on the Fee Schedule.
4. Issuance of Registration Decals. Upon registering a bicycle or motor bicycle, the police chief ~~Police Department~~ shall issue a reflectorized registration decal to the owner of the vehicle ~~bicycle. The Police Department shall provide all registration decals and shall determine the size, color and design thereof.~~ Each registration decal issued shall be serially numbered to correspond to the registration number.

5. Registration Decal ~~to be~~ Display Locationed. The police chief shall include with each registration decal instructions describing where on the bicycle or motor bicycle to affix the registration decal~~Every decal issued for a bicycle shall be affixed to the bicycle on the seat tube half way between the seat and the pedals in such manner so as to be plainly seen and read. Decals shall remain so affixed until ordered removed by the Police Department for cause or for change of ownership.~~
6. Expiration of Registration. Registration of a bicycle or motor bicycle shall run concurrent with the ownership of the bicycle~~vehicle~~. Registration will expire only upon change of ownership or upon dismantling and taking the bicycle~~vehicle~~ out of operation. The owner of a bicycle or motor bicycle that has been dismantled and taken out of operation shall notify the ~~Police Department~~police chief, within ~~ten~~ (10) days, of the registration number of the bicycle~~dismantled vehicle~~.
7. ~~Unsafe Bicycles or Bicycle Operation. No bicycle shall be registered which is in unsafe mechanical condition. The Police Department may suspend the registration of any bicycle operated contrary to any state law or City ordinance or operated while in unsafe mechanical condition. Such suspension may continue for a period not to exceed ninety (90) days, provided that registration shall not be reinstated while the bicycle is in unsafe mechanical condition. The Police Department shall order the removal of the registration decal from the bicycle, the registration of which has been suspended pursuant to this section and such registration decal shall forthwith be delivered to the Police Department. Upon expiration of any such suspension period, the owner shall file a new registration application, as provided in Subsection (3). Suspensions and removals shall be in addition to other penalties provided for in Section 10.16.~~
8. ~~Change of Ownership. Within ten (10) days after any bicycle registered, as provided for herein, shall change ownership or be dismantled and taken out of operation, the person in whose name the bicycle has been registered shall report such information to the Police Department. In the case of change of ownership, the new owner shall make application, as provided in Subsection (3), and the registration number may be transferred to the new owner. In the case of dismantling and taking out of operation, the registration shall be cancelled and the registration decal returned to the Police Department.~~
9. ~~Conditions of Registration. Every registration decal issued pursuant to this section shall be considered to have been granted upon the condition that the operator of a bicycle shall be subject to and comply with the provisions of all ordinances and state laws applicable to the operation of bicycles. Responsibility of Parent or Guardian. No parent or guardian of any child shall authorize or knowingly permit such child to violate any of the provisions of this section or of any ordinance or state law applicable to the operation of bicycles.~~

Wis. Stat. 349.18(2)

~~{Ord. 6373, 3/17/1998}~~

SECTION 2: **REPEAL** “10.155 Enforcement Of Bicycle Regulations, Parental Responsibility” of the City Of West Allis Municipal Code is hereby *repealed* as follows:

REPEAL

~~10.155 Enforcement Of Bicycle Regulations, Parental Responsibility~~ (*Repealed*)

1. Legislative Intent. Whereas, it is necessary for public safety, and especially the safety of juveniles, that provisions of the Wisconsin traffic safety statutes regarding bicycles, as adopted by this Code, must be enforced; and,
Whereas, an understanding of traffic safety regulations, as a bicyclist, engenders in children a knowledge of and respect for traffic safety rules as a licensed driver and responsible adult, the following legislation is hereby enacted:
2. Any juvenile under the age of sixteen (16) years, who violates a traffic safety "rule of the road," as set forth in Section 346 of the Wisconsin Statutes, as adopted by this Code, other traffic safety ordinances of this Code, or Sec. 10.15 of this Code, "Bicycle Registration," shall be issued a "bicycle citation," in a form to be adopted by the West Allis Police Department, directing said juvenile to appear and attend a "bicycle safety school." Such bicycle safety school shall be organized and conducted under the auspices of the West Allis Police Department, at such times and places as the Police Department shall, from time to time, determine. If said juvenile shall appear and attend said bicycle safety school, no further penalty shall be imposed.
3. Parental Responsibility. Any parent, guardian or legal custodian who has been notified that a juvenile is required to attend bicycle safety school under this section, and who then fails to produce or cause such juvenile to appear at the required traffic safety school, shall forfeit an amount not less than five dollars (\$5.) nor more than twenty dollars (\$20.) and, upon default of payment of such forfeiture, shall be imprisoned in the Milwaukee County House of Correction for not more than five (5) days. No penalty shall be imposed under this section, unless it shall first be proven to the court that:
 - a. The juvenile in question did violate a traffic safety regulation which being the operator of a bicycle; and,
 - b. That the parent, guardian or custodian, being notified of the bicycle safety school, did fail to produce the juvenile for such school.
4. Form of Summons. The form of summons to court for a parent accused of failing to produce a juvenile for bicycle safety school shall be by means of a standard municipal nontraffic citation.

SECTION 3: **EFFECTIVE DATE** This Ordinance shall be in full force and effect on and after the required approval and publication according to law.

PASSED AND ADOPTED BY THE CITY OF WEST ALLIS COUNCIL

_____.

	AYE	NAY	ABSENT	ABSTAIN
Ald. Vince Vitale	_____	_____	_____	_____
Ald. Ray Turner	_____	_____	_____	_____
Ald. Tracy Stefanski	_____	_____	_____	_____
Ald. Marty Weigel	_____	_____	_____	_____
Ald. Suzzette Grisham	_____	_____	_____	_____
Ald. Danna Kuehn	_____	_____	_____	_____
Ald. Thomas Lajsic	_____	_____	_____	_____
Ald. Dan Roadt	_____	_____	_____	_____
Ald. Rosalie Reinke	_____	_____	_____	_____
Ald. Kevin Haass	_____	_____	_____	_____

Attest

Presiding Officer

Rebecca Grill, City Clerk, City Of
West Allis

Dan Devine, Mayor, City Of West
Allis