



# City of West Allis

## Legislation Text

File #: O-2019-0037, Version: 2

An Ordinance to Create Section 10.23 of the West Allis

Municipal Code relating to the operation, parking, and rental of electric scooters.

Whereas 2019 Wisconsin Act 11 created a statewide regulatory framework for the operation of electric scooters; and

Whereas certain provisions of Act 11 allow municipalities to enact local regulations; and

Whereas the City of West Allis finds that certain local regulations are appropriate to maintain the safety of residents, motorists, pedestrians, cyclists, and others;

Now, therefore, the Common Council of the City of West Allis, Milwaukee County, do ordain as follows:

### Part 1. Code Revision

Section 10.23 of the Municipal Code of the City of West Allis is hereby created to read as follows:

10.23 Electric Scooters.

- (1) Operating restrictions.
  - (a) No person may operate an electric scooter on any roadway having a speed limit of more than 25 miles per hour.
  - (b) No person may operate an electric scooter on any sidewalk.
- (2) Parking requirements.
  - (a) No person may park an electric scooter on a roadway, bicycle lane, or bicycle way.
  - (b) Any person who parks an electric scooter on a sidewalk shall position the electric scooter in a manner that leaves a path on the sidewalk at least four feet wide.
  - (c) No person may park an electric scooter in a manner that obstructs:
    1. A crosswalk or access to a crosswalk
    2. A driveway or private road
    3. A carriage walk
  - (d) Whenever any traffic officer finds an electric scooter parked upon a roadway or sidewalk in violation of this section, the traffic officer is authorized to move the electric scooter to a storage premises. The removal may be performed by, or under the direction of, the traffic officer. The owner of the electric scooter removed shall pay the reasonable charges for moving or towing or any storage before it may be returned to the owner.
- (3) Short-term commercial rental prohibition.
  - (a) No person may engage in the business of short-term commercial rental of electric scooters to the general public.
  - (b) No person who engages in the business of short-term commercial rental of electric scooters to the general public in another municipality may allow a rented scooter to be operated in the City of West Allis.
  - (c) Each instance in which an individual operates a rented electric scooter constitutes a separate violation of this subsection.

### Part 2. Code Revision

Section 10.16(2) of the Municipal Code of the City of West Allis is hereby amended to add penalties as follows:

|          |  |             |
|----------|--|-------------|
| 10.23(1) | Electric Scooter Operator Violation    | 25 to 100   |
| 10.23(2) | Electric Scooter Parking Violation     | 25          |
| 10.23(3) | Short-Term Commercial Rental Violation | 25 to 1,000 |

**Part 3. Inconsistent Law Repealed**

All ordinances or parts of ordinances inconsistent with the provisions of this ordinance are hereby repealed.

**Part 4. Severability**

The provisions of this ordinance are severable. If any provision of this ordinance is invalid, or if the application of this ordinance to any person or circumstance is invalid, such invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application.

**Part 5. Effective Date**

This ordinance shall take effect and be in force from and after its passage and publication.