

**ORDINANCE NO. 269**

**AN ORDINANCE AUTHORIZING THE USE OF  
LOW SPEED VEHICLES, NEIGHBORHOOD ELECTRIC VEHICLES  
AND GOLF CARTS ON CERTAIN ROADS  
IN THE VILLAGE OF OCONOMOWOC LAKE**

**WHEREAS**, the Wisconsin Legislature by 2013 Act 20 authorized the use of Golf Carts on municipal roads that have speed limits of 25 miles or less subject to certain conditions; and

**WHEREAS**, the Wisconsin Legislature previously by 2006 Act 329 and 2008 Act 33 authorized Neighborhood Electric Vehicles to be operated on roadways that have a speed limit of 35 miles per hour or less subject to certain conditions; and

**WHEREAS**, the Wisconsin Legislature previously by 2009 Wisconsin Act 311 authorized Low Speed Vehicles to be operated on municipal and county roads statewide that have speed limits of 35 miles per hour or less subject to certain conditions; and

**WHEREAS**, the Village Board has determined that it would be appropriate to allow the use of Golf Carts, Low Speed Vehicles, and Neighborhood Electric Vehicles in the Village of Oconomowoc Lake under certain conditions; and

**WHEREAS**, the Village Board has directed the Village Staff to draft an ordinance setting forth where, when and under what circumstances Golf Carts, Low Speed Vehicles and Neighborhood Electric Vehicles may be operated in the Village of Oconomowoc Lake and described herein.

NOW, THEREFORE, the Village Board for the Village of Oconomowoc Lake, Waukesha County, Wisconsin, DOES HEREBY ORDAIN as follows:

**SECTION 1: LOW SPEED VEHICLES**

1. Definitions.

A "Low Speed Vehicle" (LSV) means a motor vehicle that conforms to the definition and requirements for low-speed vehicles 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 a golf cart.

LSVs shall be 4-wheeled and have a speed range of at least 20 miles per hour and not more than 25 miles per hour on a paved surface and have a gross vehicle weight at rest of less than 3,000 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 of the vehicle.
- (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 Safety Standard no. 209, for each designated seating position.
- (j.) Meets the general test conditions under 49 CFR 571.50056.

## 2. Permitted Users of Low Speed Vehicles.

To use an LSV on Village streets as set forth in 3 below, the individual must have a valid regular or probationary driver's license and a motor vehicle liability policy in effect that covers LSVs and meets minimum requirements.

## 3. Permitted Use of Low Speed Vehicles on Village Streets.

A licensed individual may operate an LSV on any roadway within the Village that has a speed limit of 35 miles per hour or less, regardless of whether the municipality has jurisdiction over the roadway except as limited by State Law and this Section. The Low Speed Vehicle must have headlamps on at all times while being operated by an individual.

#### 4. Operation of Low Speed Vehicles.

The operation of a LSV as permitted herein shall in all respects be in compliance with all other Village Ordinances and State Statutes.

#### 5. Registration of Low Speed Vehicles.

LSVs operated within the Village shall be registered with the Wisconsin Department of Transportation and shall display that registration in accordance with Ch. 341, Wis. Stats.

### **SECTION 2: NEIGHBORHOOD ELECTRIC VEHICLES PERMITTED.**

#### 1. Definitions.

A "Neighborhood Electric Vehicle" (NEV) means a self-propelled motor vehicle that has successfully completed the Neighborhood Electric Vehicle of America test program conducted by the Federal Department of Energy and which conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety standards for "low-speed vehicles" under 49 CFR 571.3(b) and 571.500. "Neighborhood electric vehicle" does not include golf carts.

NEVs 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 3,000 pounds. NEVs 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 of the vehicle.
- (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.

2. Permitted Users of Neighborhood Electric Vehicles.

To use an NEV on Village streets as set forth in 3 below, the individual must have a valid regular or probationary driver's license and a motor vehicle liability policy in effect that covers NEVs and meets minimum requirements.

3. Permitted Use of Neighborhood Electric Vehicles on Village Streets.

A licensed individual may operate an NEV on any roadway within the Village that has a speed limit of 35 miles per hour or less, regardless of whether the municipality has jurisdiction over the roadway except as limited by State Law and this Section. The NEV must have headlamps on at all times while being operated by an individual.

4. Operation of Neighborhood Electric Vehicles.

The operation of NEVs as permitted herein shall in all respects be in compliance with all other Village Ordinances and State Statutes.

5. Registration of Neighborhood Electric Vehicles.

NEVs operated within the Village shall be registered with the Wisconsin Department of Transportation and shall display that registration in accordance with Ch. 341, Wis. Stats.

**SECTION 3: GOLF CARTS**

1. Definitions.

"Golf Carts" (GC) means a vehicle whose speed attainable in one mile does not exceed 20 miles per hour on a paved, level surface, and that is designed and intended to convey one or more persons and equipment to play the game of golf in an area designed as a golf course, to maintain a golf course, or to move persons around a golf course whether or not the vehicle is actually being used on a golf course.

GCs shall be 4-wheeled and have a gross vehicle weight at rest of less than 3,000 pounds. GCs shall have:

- (a.) Reflex reflectors; one red on each side as far to the rear as practicable, one red on the rear, and a slow moving vehicle sign on the rear of the vehicle;
- (b.) A vehicle number issued from the Village;

2. Permitted Users of Golf Carts.

To use a golf cart on Village streets as set forth in 3 below, the individual must have a valid regular or probationary driver's license and a motor vehicle liability policy in effect that covers GCs and meets minimum requirements.

3. Permitted Use of Golf Carts on Village Streets.

A licensed individual may operate an GC on any roadway within the Village that has a speed limit of 25 miles per hour or less, regardless of whether the municipality has jurisdiction over the roadway except as limited by State Law and this Section between sunrise and sunset.

4. Operation of Golf Carts.

The operation of GCs as permitted herein shall in all respects be in compliance with all other Village Ordinances and State Statutes.

5. Registration of Golf Carts.

GCs operated within the Village shall be registered with the Village Clerk and shall display that registration on the vehicle.

**SECTION 4: PENALTIES.**

In addition to such other penalties and remedies as may apply, violations of this ordinance shall be subject to the penalties described in Village of Oconomowoc Lake Ordinance No. 149, entitled "An Ordinance to Repeal and Recreate the Penalty Provisions of All Previously Adopted Village of Oconomowoc Lake Ordinances", including such amendments and re-created provisions as may be made thereto from time to time.

**SECTION 5: SEVERABILITY.**

The several sections of this ordinance are declared to be severable. If any section or portion thereof shall be declared by a court of competent jurisdiction to be invalid, unlawful or unenforceable, such decision shall apply only to the specific section or portion thereof directly specified in the decision, and shall not affect the validity of any other provisions, sections or portions thereof of the ordinance. The remainder of the ordinance shall remain in full force and effect. Any other ordinances whose terms are in conflict with the provisions of this ordinance are hereby repealed as to those terms that

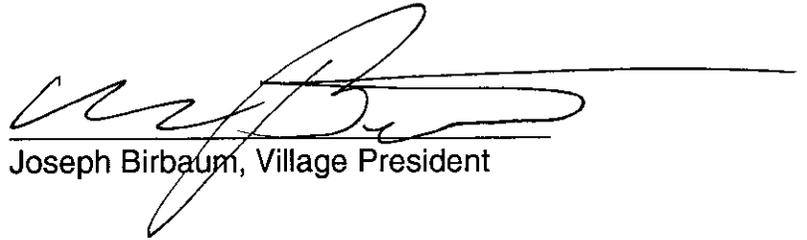
conflict.

**SECTION 6: EFFECTIVE DATE.**

This ordinance shall take effect immediately upon passage and posting or publication as provided by law.

Dated this 15th day of July, 2013.

VILLAGE OF OCONOMOWOC LAKE



Joseph Birbaum, Village President

ATTEST:



Cindy J. Schlieve, Village Clerk

**VILLAGE OF OCONOMOWOC LAKE  
35328 W. PABST ROAD  
OCONOMOWOC, WI 53066**

STATE OF WISCONSIN    )  
  )  
COUNTY OF WAUKESHA    )

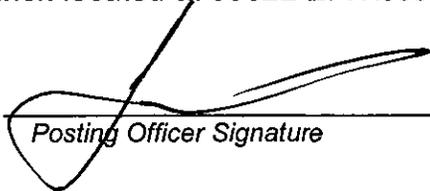
AFFIDAVIT OF POSTING

Ordinance No. 269 Authorizing the Use  
of LSV, NEV, and Golf Carts Passed on  
July 15, 2013

The undersigned, being first duly sworn, on oath deposes and states that on July 19, 2013, at the direction of the Clerk of the Village of Oconomowoc Lake, he posted copies of the foregoing proceedings of the Village Board in the following public places in said Village:

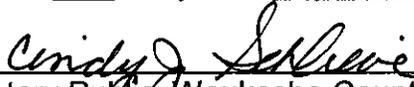
To-wit:

- (1) Opposite the entrance to the Oconomowoc Lake Club on the Northern side of the road in front of the Club;
- (2) At the entrance to the Village Hall on West Pabst Road;
- (3) At the Village Boat Launch located at 35622 E. Wisconsin Avenue.

  
\_\_\_\_\_  
Posting Officer Signature

Subscribed and sworn to before me

This 19th day of July 2013

  
\_\_\_\_\_  
Notary Public, Waukesha County, Wisconsin  
My Commission expires: June 7, 2015