

ORDINANCE NO. OR07-03
AN ORDINANCE AMENDING THE MUNICIPAL CODE,
CHAPTER 94, TRAFFIC AND VEHICLES
ARTICLE VIII, NEIGHBORHOOD ELECTRIC VEHICLES,
AS IT RELATES TO THE OPERATIONS OF PLAY VEHICLES IN THE
CITY OF BRILLION, CALUMET COUNTY, WISCONSIN

The Common Council of the City of Brillion does ordain as follows:

The City of Brillion shall allow the use of a “neighborhood electric vehicle” within the City limits of Brillion. Persons using a “Neighborhood Electric Vehicle” on any street shall comply with the following:

- (a) A Neighborhood Electric Vehicle shall be operated on a street which has a speed limit of 35 miles per hour or less. (Ref. by State Statute)
- (b) A Neighborhood Electric Vehicle” shall not be modified from the original manufacturer’s condition
- (c) A Neighborhood Electric Vehicle shall be operated by a licensed driver capable of properly controlling the vehicle and not simply under adult supervision.
- (d) Modifications to vehicles:

The only modifications allowed to any Neighborhood Electric Vehicle shall be the replacement of (OEM) original manufacturer parts or the equivalent. However, the attachment of lights for night time use shall be allowed.

"Neighborhood Electric Vehicle" means a self-propelled motor vehicle that has successfully completed the neighborhood electric vehicle America test program conducted by the federal department of energy, and that conforms to the definition and requirements for low-speed vehicles as adopted in the federal motor vehicle safety 49 CFR 571.3 (b) and 571.500.

- (e) Neighborhood Electric vehicles are motor vehicles designed to operate on a street. They have all equipment necessary to be classified as a motor vehicle and as such may only be operated by license drivers under all conditions and requirements of standard motor vehicles.

Exception: Neighborhood electric vehicles are not designed to operate upon an open highway where speeds are in excess of 35 MPH.

- (f) Registration: Neighborhood electric vehicles are not required to be registered to operate upon a highway by the State of Wisconsin; however, these vehicles are required to obtain a City of Brillion registration.

(1) **Registration** – In addition to any other registration requirements that may be imposed by the State, an annual Municipal use permit shall required to operate any Neighborhood Electric Vehicle upon City streets or other City property, within the City limits. It is the intent that the fee for this permit be reviewed annually and may be published by the City Clerk on the City web site www.ci.brillion.wi.us and in the Brillion News.

- (a) The annual permit shall be valid from May 1st. through April 31st.

of each consecutive year.

(b) The permit fee for the 2007 season shall be \$25.00

SECTION VII – SERVABILITY

The provision of this ordinance shall be deemed servable and it is expressly declared that the City would have passed the other provisions of this ordinance irrespective of whether or not one or more provisions may be declared invalid. If any provision of this ordinance or the application to any person or circumstances is held invalid, the remainder of the ordinance and the application of such provisions to other persons circumstances shall not be deemed affected.

SECTION VIII – EFFECTIVE DATE

This ordinance shall take effect upon passage and publication as required by law.

Ordinance Number OR07-03 introduced and its adoption moved by Alderperson Unbehaun; and seconded by Alderperson Edinger.

Upon a poll vote thereon, the result was as follows:

<u>7</u>	Votes Cast
<u>7</u>	Votes Yes
<u>0</u>	Votes No

The Mayor declared Ordinance Number OR07-03 adopted, approved and signed the same this 26th day of February, 2007.

Gerald Sonnabend, Mayor

Attested:

Lori M. Gosz, City Clerk/Treasurer