



Legislation Details (With Text)

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File created: 4/17/2018 **In control:** COMMON COUNCIL
On agenda: **Final action:** 9/25/2018
Effective date:

Title: A substitute ordinance relating to the parking of all-terrain and utility terrain vehicles on unpaved surfaces.

Sponsors: ALD. PEREZ

Indexes: PARKING REGULATIONS, ZONING

Attachments: 1. Proposed Substitute A, 2. Zoning Code Technical Committee Letter, 3. City Plan Commission Letter, 4. City Attorney Email, 5. Notice Published on 7-27-18 and 8-3-18, 6. Hearing Notice List 07-02-18, 7. Hearing Notice List 09-18-18

Date	Ver.	Action By	Action	Result	Tally
4/17/2018	0	COMMON COUNCIL	ASSIGNED TO		
6/7/2018	1	CITY CLERK	DRAFT SUBMITTED		
6/27/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/27/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/27/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
7/2/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
7/3/2018	1	CITY CLERK	REFERRED TO		
7/9/2018	1	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
7/9/2018	1	ZONING CODE TECHNICAL COMMITTEE	HEARING NOTICES SENT		
7/27/2018	1	CITY CLERK	PUBLISHED		
8/13/2018	1	CITY PLAN COMMISSION	RECOMMENDED FOR PLACING ON FILE AND ASSIGNED TO	Pass	5:0
9/12/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/12/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/12/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/12/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/12/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
9/18/2018	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR PLACING ON FILE	Pass	5:0

180115

SUBSTITUTE 1

ALD. PEREZ

A substitute ordinance relating to the parking of all-terrain and utility terrain vehicles on unpaved surfaces.

101-23.3 cr

This ordinance prohibits all-terrain and utility terrain vehicles from parking on unpaved surfaces. An all-terrain vehicle is a commercially-designed and manufactured motor-driven vehicle weighing 900 pounds or less with 3 or more wheels and designed to be straddled by the operator. A utility terrain vehicle is similar to an all-terrain vehicle, but it weighs 2,000 pounds or less.

The Mayor and Common Council of the City of Milwaukee do ordain as follows:

Part 1. Section 101-23.3 of the code is created to read:

101-23.3. Parking on Unpaved Surfaces.

1. DEFINITIONS. In this section:

a. "All-terrain vehicle" means a commercially-designed and manufactured motor-driven device that has a weight, without fluids, of 900 pounds or less, has a width of 50 inches or less, is equipped with a seat designed to be straddled by the operator, and travels on 3 or more low-pressure tires or non-pneumatic tires.

b. "Utility terrain vehicle" means any of the following:

b-1. A commercially-designed and manufactured motor driven device that does not meet federal motor vehicle safety standards in effect on July 1, 2012, that is not a golf cart, low-speed vehicle, dune buggy, mini-truck, or tracked vehicle, that is designed to be used primarily off of a highway, and that has, and was originally manufactured with, all of the following:

b-1-a. A weight, without fluids, of 2,000 pounds or less.

b-1-b. Four or more low-pressure tires or non-pneumatic tires.

b-1-c. A steering wheel.

b-1-d. A tail light.

b-1-e. A brake light.

b-1-f. Two headlights.

b-1-g. A width of not more than 65 inches.

b-1-h. A system of seat belts, or a similar system, for restraining each occupant of the device in the event of an accident.

b-1-i. A system of structural members designed to reduce the likelihood that an occupant would be crushed as the result of a rollover of the device.

b-2. A commercially-designed and manufactured motor driven device to which all of the following apply:

b-2-a. It has a weight, without fluids, of more than 900 pounds but not more than 2000 pounds.

b-2-b. It has a width of 50 inches or less.

b-2-c. It is equipped with a seat designed to be straddled by the operator.

b-2-d. It travels on 3 or more low-pressure tires or non-pneumatic tires.

2. PARKING ON UNPAVED SURFACE PROHIBITED. No person shall leave or park an all-terrain vehicle or a utility terrain vehicle on an unpaved surface.

APPROVED AS TO FORM

Legislative Reference Bureau

Date: _____

IT IS OUR OPINION THAT THE ORDINANCE
IS LEGAL AND ENFORCEABLE

Office of the City Attorney

Date: _____

LRB171191-2

Tea Norfolk

6/4/2018