VILLAGE OF MARATHON CITY, MARATHON COUNTY, WISCONSIN
AN ORDINANCE CREATING SECTION 10.2.8 OF THE GENERAL CODE OF ORDINANCES ENTITLED "REGULATION OF E-BIKES, E-SCOOTERS, E-MOTOS, GAS-POWERED SCOOTERS AND GAS-POWERED BICYCLES"

The Village Board of the Village of Marathon City, Marathon County, Wisconsin, do ordain as follows:

SECTION 1: Section 10.2.8 Of the General Code of Ordinances of the Village of Marathon City, Wisconsin, entitled "Regulation of E-Bikes, E-Scooters, E-Motos, Gas-Powered Scooters & Gas-Powered Bicycles" is hereby created to provide as follows:

Sec. 10.2.8 Regulation of E-Bikes, E-Scooters, E-Motos, Gas-Powered Scooters and Gas-Powered Bicycles

(A) **Definitions.**

(1) "Electric Bicycle" shall have the meaning as defined in Wis. Stat. § 340.01(15ph) and shall be classified as follows:

(a) Class 1 Electric Bicycle – A bicycle equipped with an electric motor of 750 watts or less that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 20 miles per hour.

(b) Class 2 Electric Bicycle – A bicycle equipped with an electric motor of 750 watts or less that may be used to propel the bicycle without pedaling but does not assist when the bicycle reaches the speed of 20 miles per hour.

(c) Class 3 Electric Bicycle – A bicycle equipped with an electric motor of 750 watts or less that provides assistance only when the rider is pedaling and ceases to provide assistance when the bicycle reaches the speed of 28 miles per hour.

(2) "Electric Scooter" means a vehicle that is designed to be stood or sat upon by the operator, powered by an electric motor, and capable of speeds not exceeding 20 miles per hour.

(3) "Gas-Powered Bicycle or Scooter" refers to a bicycle or scooter that has been modified by adding a non-integral gas or other fuel-powered unit, enabling it to reach speeds beyond those originally intended for the vehicle.

(B) **Operation of Electric Bicycles**

(1) Operation of electric bicycles within the Village of Marathon City shall comply with all applicable provisions of Wis. Stats. chs. 340-351, including but not limited to Wis. Stat. § 346.806, hereby adopted by reference and incorporated herein.

(a) No person under the age of 16 may operate a Class 3 electric bicycle, though a person under 16 may ride as a passenger if the bicycle is designed to accommodate passengers.

(b) Anyone operating a Class 3 electric bicycle or any electric bicycle equipped with a motor exceeding 750 watts or capable of speeds greater than 28 miles per hour is required to have a valid driver's license and is subject to all applicable motor vehicle laws.

(2) All operators shall comply with all applicable provisions of Wis. Stat. ch. 346.

(3) In addition to any applicable statutory provision, all operators shall comply with all applicable provisions of this Section.

(C) **Operation of Electric Scooters**

(1) No electric scooter may be operated at speeds exceeding 20 miles per hour within the Village limits.

(2) In addition to any applicable statutory provision, all operators of electric scooters must comply with and adhere to all applicable provisions of this Section.

(D) **Special Regulations Pertaining to Electric Bicycles and Electric Scooters**

(1) All electric bicycle and electric scooter operators shall adhere to all provisions of Wis. Stat. ch. 346 applicable to electric bicycles and electric scooters, including but not limited to yielding, signaling, stopping, speeds and right-of-way regulations.

(a) Every person operating an electric bicycle or electric scooter upon a two-way public street shall ride as near as practicable to within five feet of the right curb or edge of the roadway, except when passing another vehicle or making a left-hand turn; and when riding in groups, users of electric bicycles/scooters shall ride in single file, except on residential streets which are not divided by painted or

other marked extra lines where they may ride two abreast. On one-way roads, the operator shall ride as near as practicable to within five feet of the left-hand curb or edge of the roadway.

(b) No person operating an electric bicycle or scooter shall impede the normal movement of motor vehicle traffic.

(2) Operation of electric bicycles and electric scooters is prohibited on sidewalks and property where a sign is erected indicating that electric bicycles and/or electric scooters are prohibited.

(a) Exceptions:

(1) No person over the age of ten (10) shall ride or propel any bicycle/scooter upon any public sidewalk or thoroughfare of the Village set apart for pedestrians, except bicycles having wheels sized twenty (20) inches or under. This exception shall not apply to twenty (20) inch or under bicycles designed or modified to BMX specifications.

(3) Operation of electric bicycles and electric scooter is permitted on Village trails and/or bikeable park locations subject to the following conditions:

(a) Maximum speed on trails and park locations shall be 10 miles per hour.

(b) When approaching a pedestrian from the opposite direction, the operator must yield the right-of-way.

(c) When overtaking a pedestrian in the same direction, the operator must provide an audible signal (e.g., bell, horn, or verbal warning) before passing and must pass in a safe manner.

(d) When overtaking a pedestrian, the operator must reduce his or her speed to below 5 miles per hour.

(4) No person using or operating an electric bicycle or scooter shall cling to or attach themselves to any moving vehicle.

(5) No person operating an electric bicycle or electric scooter shall participate in any race, speed, or endurance contest with any other moving vehicle on a Village roadway or perform any trick riding on any highway, bicycle way, or sidewalk or operate with no hands on the handlebars or otherwise practice any fancy or acrobatic riding or stunts while operating such electric bicycle or electric scooter.

(6) No person operating an electric bicycle or electric scooter shall tow, drag, or cause to be drawn behind the electric bicycle or electric scooter any coaster, sled, toy vehicle, trailer, person on in-line or other skates, skateboard, or any other type of conveyance. An electric bicycle may tow a carrier behind itself that is specially designed to be towed by a bicycle.

(7) No electric bicycle or electric scooter shall be used to carry more person(s) at one time than the number for which it is designed and equipped.

(8) Any parent or guardian of a person 12 years of age or younger operating an electric bicycle or electric scooter shall be liable for any violations of this Article committed by the minor and shall be subject to forfeitures and Subsection (E)(6).

(9) Use of electric bicycles and electric scooters on any Village green spaces (including parkland) or as a means of cutting through yards or accessing or crossing any property not designated for vehicle movement, is strictly prohibited.

(10) No person less than eight years of age shall operate an electric bicycle or electric scooter on Village roadways or sidewalks, except those persons six or seven years of age may do so during daylight hours if accompanied by an adult capable of remaining close enough to ensure the safe operation of the scooter by such child, such as by walking or running alongside, using their own electric scooter or bicycle, or engaging in a similar activity. This subsection is intended to permit the usage of electric scooters by families.

(11) No person operating an electric scooter shall wear any headphones, earphones, or earbuds covering or inserted into both ears while operating an electric scooter.

(12) Every person operating an electric bicycle or electric scooter between one-half hour after sunset and one-half hour before sunrise shall have the vehicle

equipped with a lamp firmly attached to the front of such vehicle exhibiting a white light to the front, and with a reflector or a lamp mounted on the rear of the vehicle visible at a distance of 500 feet. The reflector shall not be less than three inches in diameter.

(E) **Penalties**

(1) Every person operating an electric bicycle or electric scooter, and/or parents or guardians of such operators shall be fully liable for any damage caused to public or private property as a result of intentional, or negligent actions, or actions in conflict with this Section, and shall be responsible for complete and full restitution of all costs associated with such damage in addition to any penalty stated in this Section.

(2) Any person sixteen (16) years of age or older who violates any provision of this Section may be issued a citation and be subject to the penalties provided by the Uniform State Traffic Deposit Schedule or other penalties under applicable law.

(3) Any person fourteen (14) years of age through fifteen (15) years of age who violates any provisions of this Section may be issued a citation and be subject to the penalties provided by the Village's fee schedule and, upon conviction thereof, may be required to forfeit not more than Twenty-five Dollars ($25.00), together with the cost of the prosecution and, in default of such payment, the Court may suspend the child's operating privileges, as defined in Wis. Stat. § 340.01, for not less than thirty (30) days nor more than ninety (90) days.

(4) Any person under fourteen (14) years of age who violates any provision of this Section may be issued a special Bicycle Violation Warning Notice along with the following additional actions:

(a) First offense within one (1) year: A warning letter sent to the parent or guardian.

(b) Second offense in the same year: The violator shall be prohibited from using any electric bicycle or electric scooter for a period of no longer than fifteen (15) days or as the Chief of Police may deem necessary.

(c) Third offense in the same year: The violator shall be prohibited from using any electric bicycle or electric scooter for a period of not less than fifteen (15) days or more than thirty (30) days as the Chief of Police may deem necessary.

(d) Fourth and subsequent offense in the same year: Mandatory referral to Marathon County Juvenile Court.

(5) All violations shall be determined based on the preceding twelve (12) month period to establish which violation has occurred.

(6) Any parent or guardian of any child who authorizes or knowingly permits such child to violate any of the provisions of this Section may be penalized pursuant to the provisions of Wis. Stats. §§ 346.77 and 346.82(1).

(F) **Operation of Gas-Powered Bicycles and Gas-Powered Scooters**

(1) Operation of gas-powered bicycles and gas-powered scooters are prohibited in the Village of Marathon City in all locations.

(2) Violations and penalties:

(a) The penalty for violating the provisions herein shall be a forfeiture of not less than $100 nor more than $250, plus court costs, for each violation.

(b) Any violation of any provisions of this Section, even if repeated actions, constitutes as a separate penalty subject to a separate or additional forfeiture.

SECTION 2: If any provision of this Ordinance is invalid or unconstitutional, or if the application of this Ordinance to any person or circumstances is found invalid or unconstitutional by a Court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the provisions or application of this Ordinance which can be given effect without the invalid or unconstitutional provision or application.

SECTION 3: All Ordinances and parts of ordinances in conflict herewith are hereby repealed.

SECTION 4: This Ordinance shall take effect and be in full force and effect from and after its passage and publication or posting as required by law.

Adopted this 4th day of November, 2026.

VILLAGE OF MARATHON CITY

By: _____
Kurt Handrick Jr., President

ATTEST:

_____
Cassandra "Cassie" Lang, Clerk

ADOPTED: 11/4/2026

PUBLISHED: 11/11/2026