



Legislation Details (With Text)

File #: 46817 **Version:** 2 **Name:** Regulating moped parking
Type: Ordinance **Status:** Passed
File created: 4/11/2017 **In control:** COMMON COUNCIL
On agenda: 8/1/2017 **Final action:** 8/1/2017
Enactment date: 8/16/2017 **Enactment #:** ORD-17-00081

Title: SUBSTITUTE Repealing Section 12.76(4)(f), renumbering Section 12.76(4)(g) to (f), creating Section 12.793, amending Sections 12.128(14), 12.141(1), 12.145(3)(c) and 1.08(3)(a) of the Madison General Ordinances to prohibit moped parking on the public sidewalk and terrace area except in Moped Parking Areas and establish a bail deposit for violation thereof.

Sponsors: Ledell Zellers, Rebecca Kemble, Paul R. Soglin, Michael E. Verveer, Zach Wood

Indexes:

Code sections:

Attachments: 1. Substitute, 2. Version 1, 3. Version 1 Map, 4. Public Comment as of 04.20.17 for 04.25.17 PBMVC on Moped Ordinance.pdf, 5. Final Report of Ad Hoc Committee on Moped Parking dated 7.26.12, 6. Public Comment as of 5.10.17, 7. Public Comments as of 6.7.17, 8. Public Comment.Strawser, 9. Privilege in Streets Memo.7.3.17, 10. Moped Parking Policy, 11. Map of Zoning Districts, 12. Moped Info Brochure, 13. Moped.Motorcycle Parking Map, 14. Sammataro memo dated 7.10.17.pdf, 15. TPC7.12.17 G.1. registrants.pdf

Date	Ver.	Action By	Action	Result
8/1/2017	2	COMMON COUNCIL	Refer	Fail
8/1/2017	2	COMMON COUNCIL	Adopt	Pass
7/12/2017	2	TRANSIT AND PARKING COMMISSION (ended 06/2018)	RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER	Pass
5/10/2017	1	TRANSIT AND PARKING COMMISSION (ended 06/2018)		
4/25/2017	1	PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION (ended 6/2018)	Return to Lead with the Recommendation for Approval	Pass
4/20/2017	1	DOWNTOWN COORDINATING COMMITTEE	Return to Lead with the Recommendation for Approval	Pass
4/18/2017	1	TRANSIT AND PARKING COMMISSION (ended 06/2018)	Refer	
4/18/2017	1	TRANSIT AND PARKING COMMISSION (ended 06/2018)	Refer	
4/18/2017	1	COMMON COUNCIL	Refer	Pass
4/11/2017	1	Attorney's Office/Approval Group	Referred for Introduction	

The Parking Utility does not anticipate any significant fiscal impact from this proposed ordinance change. No appropriation is required.

SUBSTITUTE Repealing Section 12.76(4)(f), renumbering Section 12.76(4)(g) to (f), creating Section 12.793, amending Sections 12.128(14), 12.141(1), 12.145(3)(c) and 1.08(3)(a) of the Madison General Ordinances to prohibit moped parking on the public sidewalk and terrace area except in Moped Parking Areas and establish a bail deposit for violation thereof.

DRAFTER'S ANALYSIS: Wis. Stat. § 349.13(6) gives municipalities explicit authority to (1) consider mopeds

as Type 1 motorcycles rather than bicycles for the purposes of parking, (2) establish parking areas for mopeds marked by signs, and (3) regulate the parking of mopeds. By adopting a moped parking ordinance under the authority of Wis. Stat. § 349.13(6), a municipality can enact an exception to Wis. Stat. § 346.54(1)(e) which, for the purposes of parking, considers mopeds as bicycles. Furthermore, Wis. Stat. § 346.52(1)(d) prohibits people from stopping or standing vehicles on a sidewalk or sidewalk area except when parking on the sidewalk or sidewalk area is clearly indicated by official traffic signs, pavement markings, or parking meters. By considering mopeds as Type 1 motorcycles, this ordinance will prohibit moped parking on the public sidewalk and terrace area except in approved Moped Parking Areas marked by official signs. Moped Parking Areas will be established under the privilege in street process under Sec. 10.31 and following criteria outlined in this ordinance. This ordinance shall be effective January 1, 2018.

The Common Council of the City of Madison do hereby ordain as follows:

Please see "Substitute" in Attachments.