

ORDINANCE 2016-1

AN ORDINANCE ESTABLISHING REGULATIONS FOR CYCLING EVENTS IN THE TOWN OF VERONA

WHEREAS, the Town of Verona seeks to preserve public health and public safety, and

WHEREAS, the Town of Verona wants to ensure that cycle events occurring on Town of Verona roads are conducted in a manner that is safe for the riders and of minimal disruption to others using the same roads, and

WHEREAS, the Town Board has determined that it is in the public interest that the Town regulate the date, time, place and manner of cycle events occurring on roadways within the Town;

NOW, THEREFORE, the Town Board of the Town of Verona does ordain as follows:

NAME. This Ordinance shall be called the Town of Verona CYCLE EVENTS ORDINANCE.

PURPOSE AND INTENT. It is the purpose of this Section to regulate the date, time, place and manner of cycle events occurring on Town of Verona's roadways to ensure that cycle events impacting the Town's road system do not create undue disturbance or traffic disruptions, or become nuisances or otherwise menace or threaten life, health, or property. This section is enacted in order to promote the health and public safety of Town residents and visitors, while still encouraging the public's safe, healthy and enjoyable recreational access to Town roadways.

AUTHORITY. The Town of Verona's authority to regulate events occurring on Town roadways is contained in Wis. Stat. § 349.185.

DEFINITIONS. When used in this ordinance, the terms below shall be defined and limited as follows:

1. **CYCLE EVENT** includes bicycle and motorcycle rides, rallies and races occurring on Town roadways where the time and size of an event would substantially interrupt the safe and orderly movement of traffic. Cycle events of the type controlled by this Ordinance consist of thirty-five (35) or more cycles in aggregate.
2. **ROADWAY** refers to any highway, as defined by Wis. Stats. §340.01(22), which includes all public ways and thoroughfares, and other areas owned by the Town of Verona that are used principally for pedestrian or vehicular traffic or travel.
3. **RULES OF THE ROAD** refers to Chapter 346 of the Wis. Statutes.
4. **SPECIAL SERVICES** means the exclusive allocation of Town resources including, but not limited to, Town personnel, equipment, rights-of-way, property or facilities for use in conjunction with a cycle event, as requested by the organizer or sponsor of the event, or as deemed necessary by Town staff or officials in order to maintain

public safety. Special services shall include, but not be limited to, any of the following:

- a. Road closures and rolling closures;
- b. Requiring police officers to stop, reroute or direct traffic;
- c. Additional street cleaning and garbage removal services;
- d. Special signage, including temporary no parking signs;
- e. The use of any Town building, equipment or other property for any purpose other than the normal daily operations of the Town.

PERMIT REQUIRED. No person shall form, direct, organize, lead or participate in any cycle event on any roadway under the jurisdiction of the Town of Verona unless a permit has been obtained in advance, as provided in this section.

APPLICATION. A person seeking to hold a cycling event on roadways under the jurisdiction of the Town of Verona shall file an application with the Town Clerk on the form provided by the Town Clerk. Additional information may be attached. The application shall be filed no less than forty-five (45) days prior to the event. The application shall contain the following information:

1. The name(s), address, telephone number, and email address of the individual or organization requesting the use of the Town roads.
2. The name(s), address, telephone number, and email address of the individual(s) who will be responsible for operating the event. A method for contacting the responsible individual(s) during the hours of the event must also be provided.
3. A description of the event.
4. The date and duration of time during which the cycling event is to occur.
5. The approximate number of participants in the event.
6. An accurate description of the portion(s) of the roadway(s) and right-of-way(s) to be impacted by the event.
7. A traffic safety plan, including:
 - a. Course map with impacted roadways and intersections clearly marked.
 - b. Method for identifying participants in the event.
 - c. Method for identifying the event course. Route marking signage may only consist of paper or plastic and be placed on the shoulder of the roadway in the direction of travel. Signage must be removed by event organizers within twenty-four (24) hours of the end of the event. Other forms of non-permanent route markings may be used with approval of the Town Chair or other designated Town official or employee. The use of paint on any Town roadway is strictly disallowed.
 - d. Method for informing and alerting traffic that an event is in progress and that extra caution is needed.
 - e. Whether or not the event will utilize Road Marshals or flagging personnel along the course and at impacted intersections and how these individuals will be identified.

- f. Proposed method for advance notification of Town residents who will be directly impacted by the event.
 - g. Copy of rules provided to all participants, including acknowledgement that participants will fully abide by the Rules of the Road, unless an exception to this provision is sought and granted by the Town Chair or other designated Town official or employee.
- 8. Special services requested from the Town by the event organizers, including assistance with resident notification and street sweeping of excess gravel. The event must reimburse the Town for any costs incurred for provision of these services.
- 9. A statement signed by the applicant, either individually or as an agent of the sponsoring organization, agreeing to pay all fees and costs incurred by the Town for cleanup, damages, or provision of special services.
- 10. A certificate of insurance naming the Town of Verona as an additional insured.
- 11. Any other information that the Town of Verona deems necessary or appropriate.

INDEMNIFICATION AND HOLD HARMLESS. All applicants for a Cycle Event permit shall agree, as a condition of the permit, to indemnify, defend, and hold harmless the Town of Verona and its officials, employees and agents against all claims, liability, loss, damage, or expense incurred by the Town on account of any injury to or death of any person or any damage to any property caused by or resulting from the activities for which the permit was granted.

APPLICATION REVIEW.

- 1. The Town Chair or other designated Town official or employee shall evaluate the permit application and approve, approve with conditions, or deny the permit request. Reasons for denial shall be set forth in writing and provided to the applicant.
- 2. Permits shall be issued unless it is determined one or more of the following conditions exist:
 - a. The event would involve a violation of federal, state or local law relating to the use of highways.
 - b. The applicant has failed to receive a required state or county permit for the event.
 - c. The time, size, proposed location, or route of the event would substantially interrupt the safe and orderly movement of traffic in or around the event's location.
 - d. Another Cycle Event permit has already been applied for or issued for substantially the same time and location.
 - e. The application is made in less than the established time frame specified above.
 - f. The applicant, either individually or as an agent for the sponsoring organization, has made material misrepresentations regarding the nature and extent of the special services required for a prior cycling event in the Town; has violated the terms of a prior Cycling Event permit; or has,

under a prior Cycling Event permit, conducted an event for which the Town has received complaints of discourteous behavior of the participants or behavior that violates Town ordinances or other law, including littering.

- g. Any other condition which, in the discretion of the Town Chair or other designated Town official or employee, creates an unacceptable health or safety risk such as, but not limited to, roadway surface conditions, road construction, road maintenance, other operations, or requests extending beyond the Town's capability to provide services.
3. An applicant may appeal the denial of a Cycle Event permit to the Town of Verona Board. All appeals shall be in writing to the Town within thirty (30) calendar days of the date of the denial of the permit. The applicant shall pay all fees associated with the calling of any Special meetings for hearing a request for appeal.

COMPLIANCE WITH REGULATIONS.

1. **Unlawful to Sponsor a Cycling Event Without a Permit.** An applicant under this section shall comply with all permit directions and conditions and with all applicable laws, ordinances and other regulations of the State of Wisconsin, Dane County and the Town of Verona.
2. **Unlawful to Exceed the Scope of the Permit.** The Cycling Event permit authorizes the permittee to conduct only such cycling events as is described in the permit and in accordance with the terms and conditions of the permit. It is unlawful for the permittee to willfully violate the terms and conditions of the permit.
3. **Participants.** No person who leads or participates in a permitted Cycling Event shall disobey, or encourage others to disobey, this Ordinance.

Reserved for later use.

EFFECTIVE DATE. This Ordinance becomes effective upon passage by the Town of Verona Board and publication as required by law.

Enacted at a regular meeting of the Town Board this 7th day of June, 2016

Mark Geller, Chairperson

Supervisor

Supervisor

Supervisor

Supervisor

Attest: _____

John Wright, Clerk/Treasurer

Agenda Published: June 2, 2016

Ordinance Posted: June 15 at Town of Verona Hall, Miller and Sons Grocery, and Verona Public Library