

Chapter 13

BICYCLES

Articles:

- 13-1 Definitions, Penalties, Application**
- 13-2 Abandoned Bicycles**
- 13-3 Operation of Bicycles**

Article 13-1 Definitions, Penalties, Application

Sections:

- 13-1-1 Definitions**
- 13-1-2 Responsibility of Parent**
- 13-1-3 Application of Provisions**
- 13-1-4 Penalty**

Section 13-1-1 Definitions

In this chapter unless the context otherwise requires:

A. "Bicycle" means a device propelled by human power upon which any person may ride, having two tandem wheels either of which is more than sixteen inches in diameter or having three wheels in contact with the ground any of which is more than sixteen inches in diameter.

B. "Bicycle lane" means any portion of a roadway designated for bicycle use and defined by pavement markings, curbs, signs or other traffic-control devices.

C. "Bicycle path" means a facility which is on a completely separate right-of-way from the highway and sidewalk and designated for the exclusive use of bicycles and pedestrians with cross flows by motorists minimized.

D. "Bicycle route" means a system of bike-ways designated by appropriate route markers.

E. "Bikeway" means any facility which in some manner is specifically designated as being open to bicycle travel, regardless of whether such facilities are designated for the exclusive

use of bicycles or are to be shared with other modes of transportation.

F. "Pedal bicycle with helper motor (moped)" means every bicycle equipped with a helper motor, if such vehicle has a maximum piston displacement of fifty cubic centimeters, a brake horsepower of one and one-half and a maximum speed of twenty-five miles per hour on a flat surface with less than a one percent grade.

Section 13-1-2 Responsibility of Parent

The parent of a child and the guardian of a ward shall not authorize or knowingly permit the child or ward to violate any provisions of this chapter.

Section 13-1-3 Application of Provisions

The regulations of this chapter in their application to bicycles shall apply when a bicycle is operated upon any highway, bicycle path or sidewalk subject to those exceptions stated in this article.

Section 13-1-4 Penalty

Any person violating any of the provisions of this chapter shall be liable for the imposition of a civil sanction not to exceed two hundred fifty dollars, unless another penalty is specified.

Article 13-2 Abandoned Bicycles

Sections:

- 13-2-1 Duty of City to Take Possession**
- 13-2-2 Notice of Owner**
- 13-2-3 Sales**
- 13-2-4 Notice of Sale**
- 13-2-5 Auction, Disposition of Funds**
- 13-2-6 Claimants**
- 13-2-7 Certificates of Sale**

Section 13-2-1 Duty of City to Take Possession

It shall be the duty of the city to take possession of all bicycles that have been abandoned on any street, alley or in any other public place in the city.

Section 13-2-2 Notice of Owner

Upon taking possession of any abandoned bicycle, it shall be the duty of the city to ascertain, if possible, the owner thereof and to notify such owner that such bicycle is in the possession of the police department. This notice may be given to the owner in person, by phone or by ordinary mail.

Section 13-2-3 Sales

A. In the event that the owner of an abandoned bicycle cannot be found or does not claim such bicycle, the city shall proceed to sell such bicycle at public auction. Such sale shall be held in the manner set forth in this chapter. However, the finder of such bicycle shall be notified prior to the auction and allowed to make claim to said bicycle.

B. From time to time the city council may decide to exempt certain bicycles from the above sale procedure and give such exempted bicycles to nonprofit organizations, as approved by the city council, for disbursement. The nonprofit organizations shall request the bicycles in writing directed to the city council. The organization shall provide a specific statement as to the proposed use of the bicycles in its request.

Section 13-2-4 Notice of Sale

After twenty days from the date of taking from the date of the taking of possession of an abandoned bicycle, the city shall publish in the official newspaper of the city, at least twice, a notice of sale of such bicycle and shall post a copy of such notice in three public places in the city. A copy of such notice shall be mailed to the owner, if known, at his last known address. This copy may be mailed at least thirty days

before the date of the sale. Such notice shall contain a brief description of the bicycle, if known; its number, if known; its last registration number, if known and shall also state the hour, date and place of sale and the place where the bicycle may be seen.

Section 13-2-5 Auction, Disposition of Funds

The sale shall be a public auction to the highest bidder for cash, but in no event shall any bicycle be sold to any person for less than the cost of advertising and sale. All money received from such sale over and above the cost of advertising and sale shall be retained in a separate fund for at least six months. Upon the expiration of such time, unless sooner claimed as provided in this article, such money shall be paid over into the general fund.

Section 13-2-6 Claimants

Should any person, within six months after the date of the sale of a bicycle, make claim to such bicycle, such sum of money as may be in the hands of the city, less the sales and advertising costs which has been derived from the sale, shall be paid over to such claimant upon proof of his right to receive the same. In no event shall any claim be considered unless it is presented to the city in writing, under oath, and before the expiration of six months from the date of the sale.

Section 13-2-7 Certificates of Sale

On delivery to any purchaser of any bicycle sold under the provisions of this chapter, the city shall execute to such purchaser a certificate of sale of such bicycle, which certificate shall describe the bicycle in the same manner as in the advertisement of sale and shall recite the date of possession of the city and the date of sale. Such certificate shall pass the title to the bicycle to the purchaser.

Article 13-3 Operation of Bicycles

Sections:

- 13-3-1 Traffic Laws Apply to Persons Riding Bicycles**
- 13-3-2 Riding on Roadways and Bicycle Paths; Prohibition of Motor Vehicle Traffic on Bike Paths**
- 13-3-3 Riding on Sidewalks or Cart Paths**
- 13-3-4 Driving Vehicles Across Sidewalks**
- 13-3-5 Bikeways—Establishment and Signs**
- 13-3-6 Pedal Bicycle with Helper Motors (Mopeds)**

Section 13-3-1 Traffic Laws Apply to Persons Riding Bicycles

Every person riding a bicycle upon a roadway shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by state law and this article, and except as to those provisions of this code which by their nature can have no application.

Section 13-3-2 Riding on Roadways and Bicycle Paths; Prohibition of Motor Vehicle Traffic on Bike Paths

A. A person operating a bicycle upon a roadway at less than the normal speed of traffic at the time and place and under the conditions then existing shall ride as close as practicable to the right hand curb or edge of the roadway, except under the conditions then existing shall ride as close as practicable to the right hand curb or edge of the roadway, except under any of the following situations:

1. If overtaking and passing another bicycle or vehicle proceeding in the same direction.
2. If preparing for a left turn at an intersection or into a private road or driveway.

3. If reasonably necessary to avoid conditions including fixed or moving objects parked or moving vehicles, bicycles, pedestrians, animals or surface hazards.

Section 13-3-3 Riding on Sidewalks or Cart Paths

A. No person shall ride a bicycle on any sidewalk, cart path, public or private property when such activity is specifically prohibited by a sign which is clearly visible to those entering upon such property.

B. Whenever any person is riding a bicycle upon a sidewalk, cart path, public or private property, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

C. No person shall ride or operate a bicycle in any direction except that permitted by vehicular traffic on the same side of the roadway where the sidewalk or bicycle lane exists; provided that bicycles may proceed either way where signs or paved markings on the sidewalk, bikeway or bicycle lane appear designating two way traffic.

D. Any person riding a bicycle on a bikeway, sidewalk or cart path that is about to enter or cross a roadway shall yield the right-of-way to all the traffic on such roadway.

E. No person shall ride or operate a bicycle at excessive speed or otherwise in an unsafe manner reasonably expected to infringe upon the safety of such person or others.

F. No person shall operate a bicycle so as to cause damage to the personal or real property of others.

Section 13-3-4 Driving Vehicles Across Sidewalks

No person shall drive a vehicle upon or across a sidewalk except to enter or leave the roadway and only after giving the right-of-way to all bicycles or pedestrians lawfully upon the sidewalk.

**Section 13-3-5 Bikeways—
Establishment and
Signs**

The city is authorized to erect or place signs upon any street in the city indicating the existence of a bikeway and otherwise regulating the operation and use of vehicles and bicycles with respect thereto, so long as the same are consistent with this chapter. When such signs are in place, no person shall disobey the same.

**Section 13-3-6 Pedal Bicycle with
Helper Motors
(Mopeds)**

A. Upon a roadway where motor vehicles are permitted, a person may drive a moped in any lane designated for use of bicycles.

B. Pedal bicycles with helper motors shall be prohibited on bicycle paths, trails and on sidewalks designated for use by non-motorized pedal bicycles, except when propelled by human power with helper motor disengaged.