

ORDINANCE NUMBER 04-2021-04

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GENEVA, ALABAMA, AS FOLLOWS:

ARTICLE I

SHORT TITLE

Short Title. This Ordinance shall be cited as the "Bicycle Ordinance".

ARTICLE II

PURPOSE

Purpose. This Ordinance is enacted to protect bicycle riders and the residents of the City of Geneva from the perils of the road and to prohibit those conditions and activities which interfere with the enjoyment of public and private property.

ARTICLE III. – BICYCLES

State Law reference— Bicycles and play vehicles, Code of Ala. 1975, §§ 32-5A-260 et seq., 32-5A-280 et seq.

Definitions.

As used in this article, the following words shall have the following meanings:

(1) BICYCLE. A human-powered vehicle or motor-driven cycle with two wheels in tandem design to transport by the act of pedaling one or more persons seated on one or more saddle seats on its frame. "Bicycle" includes, but is not limited to, a human-powered vehicle designed to transport by the act of pedaling which has more than two wheels when the vehicle is used on a public roadway, public bicycle path, or other public road or right-of-way, and does include a tricycle.

(2) OPERATOR. A person who travels on a bicycle seated on a saddle seat from which that person is intended to and can pedal the bicycle.

(3) OTHER PUBLIC RIGHT-OF-WAY. Any right-of-way other than a public roadway or public bicycle path that is under the jurisdiction and control of the state or a local political subdivision thereof.

(4) PASSENGER. Any person who travels on a bicycle in any manner except as an operator.

(5) PROTECTIVE BICYCLE HELMET. A piece of headgear which meets or exceeds the impact standard for protective bicycle helmets set by the American National Standards Institute (ANSI) or the Snell Memorial Foundation, or which is otherwise approved by the Alabama Department of Public Safety.

(6) PUBLIC BICYCLE PATH. A right-of-way under the jurisdiction and control of the state, or a local political subdivision thereof, for use primarily by bicyclists and pedestrians.

(7) PUBLIC ROADWAY. A right-of-way under the jurisdiction and control of the state or a local political subdivision thereof for use primarily by motor vehicular traffic.

(8) RESTRAINING SEAT. A seat separate from the saddle seat of the operator of the bicycle or a bicycle trailer or similar product that is fastened securely to the frame of the bicycle and is adequately equipped to restrain the passenger in the seat and protect the passenger from the moving parts of the bicycle.

Sec. 1-100. - Effect of regulations.

(a) It is an offense against the city for any person to do any act forbidden or fail to perform any act required in this article. (b) The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter. (c) These regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

Sec. 1-101. - 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 of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles or by the traffic ordinances of this city applicable to the driver of a vehicle, except as to special regulations in this article and except as to those provisions of laws and ordinances which by their nature can have no application.

Sec. 1-102. - License required.

No person the age of sixteen (16) or over in this city shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been licensed and a license plate or license sticker is attached thereto as provided herein. The following exemptions would apply to the license requirement: (1) an employed police officer with the City patrolling on a bicycle; (2) Any event that properly applies with the City to obtain an event permit will be issued temporary licenses for the duration of the event if said event includes the use of bicycles within the city limits.

Sec. 1-103. - License application.

Application for a bicycle license and license sticker shall be made upon a form provided by the city and shall be made to the city license department. An annual license fee of five dollars (\$5.00) shall be paid to the city before each license or renewal thereof is granted. Annual license period will be from January 1st until December 31st, with renewals due by January 10th. First time license will be prorated and all renewals will not be prorated.

Sec. 1-104. - Issuance of license.

(a)The city license department, upon receiving proper application therefor, is authorized to issue a bicycle license.(b)The city license department will not issue a license for any bicycle when reasonable grounds exist to believe that the applicant is not the owner of or entitled to the possession of such bicycle.(c)The city license department shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued, and the number on the frame of the bicycle for which issued, and a record of all bicycle license fees collected by him.

Sec. 1-105. - Attachment of license sticker.

(a)The city license department, upon issuing a bicycle license shall also issue a license sticker bearing the license number assigned to the bicycle.(b)The person to whom license sticker is issued shall cause such license sticker to be firmly attached to the rear mudguard or frame of the bicycle for which issued in such position to be plainly visible from the rear.(c)No person shall remove a license sticker from a bicycle during the period for which issued except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any street in this city.

Sec. 1-106. - Renewal of license.

Upon the expiration of any bicycle license the same may be renewed upon application and payment of the proper fees.

Sec. 1-107. - Transfer of ownership.

Upon the sale or other transfer of a licensed bicycle the licensee shall remove the license plate and shall either surrender the same to the city license department or may upon proper application but without payment of additional fee have the plate assigned to another bicycle owned by the applicant.

Sec. 1-108. - Lamps and other equipment on bicycles.

(a)Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from one hundred (100) feet to six hundred (600) feet to the rear when directly in front of lawful lower beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred (500) feet to the rear may be used in addition to the red reflector.(b)No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped with nor shall any person upon a bicycle use any siren or whistle.(c)Every bicycle shall be equipped with adequate brakes.

Sec. 1-109. - Obedience to traffic control devices.

(a)Any person operating a bicycle shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.(b)Whenever authorized signs are erected indicating that no right or left or U-turn is permitted, no person operating a bicycle shall disobey the direction of any such sign, except where such person dismounts from the bicycle to make any such turn, in which event such person shall then obey the regulations applicable to pedestrians.

Sec. 1-110. - Manner of riding on bicycles.

(a)A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto.(b)No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

Sec. 1-111. - Riding on roadways and bicycle paths.

(a)Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.(b)Persons riding bicycles upon a roadway shall not ride more than two (2) abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.(c)Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

Sec. 1-112. - Speed.

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

Sec. 1-113. - Carrying articles.

No person operating a bicycle shall carry any package, bundle or article which prevents the rider from keeping at least one hand upon the handle bars.

Sec. 1-114. - Parking.

No person shall park a bicycle upon a street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, in such manner as to afford the least obstruction to pedestrian traffic.

Sec. 1-115. - Riding on sidewalks.

(a)No person shall ride a bicycle upon a sidewalk within a business district.(b)The city traffic engineer is authorized to erect signs on any sidewalk or roadway prohibiting the riding of bicycles thereon by any person and when such signs are in place no person shall disobey the same.(c)Whenever any person is

riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

Secs. 1-116—1-126. - Reserved.

ARTICLE IV

VIOLATIONS

Any person violating any of the provisions of this Ordinance shall, for each such offense, be punished by a fine of not less than Fifty (\$50.00) and not more than Five Hundred Dollars (\$500.00).

ARTICLE V

REPEALER

All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

ARTICLE VI

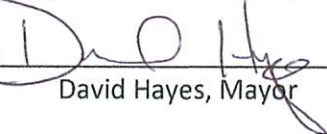
PUBLICATION

This Ordinance shall be published in the Geneva County Reaper, a newspaper published in Geneva County, Alabama as required by law.

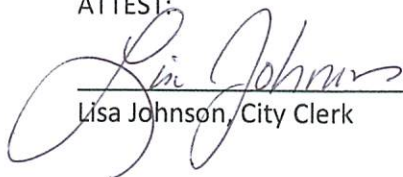
ADOPTED AND APPROVED on this 6th day of July, 2021.

The City of Geneva, Alabama

By:


David Hayes, Mayor

ATTEST:


Lisa Johnson, City Clerk