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Office by Order of Council

First Reading	July 1, 1974
Public Hearing	July 29, 1974
Passed	August 19, 1974

AN ORDINANCE TO AMEND CHAPTER 127 OF TITLE X OF THE CODE OF THE CITY OF ANN ARBOR

The City of Ann Arbor ordains:

Section 1. That Chapter 127 of Title X of the Code of the City of Ann Arbor be, and the same hereby is, amended to read as follows:

CHAPTER 127 BICYCLISTS

10:160. Driver Regulation Applicable. Every person riding a bicycle upon a street or highway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle under Chapter 126 of this Code, except as to those provisions which by their nature can have no application.

10:161. BICYCLE REGISTRATION ALL BICYCLES SOLD OR OTHERWISE TRANSFERRED TO A RESIDENT OF THE CITY OF ANN ARBOR OR A PERSON ENGAGED IN THE BUSINESS OF SELLING BICYCLES IN THE CITY OF ANN ARBOR MUST BE REGISTERED AT THE TIME OF SALE OR OTHER TRANSFER OF OWNERSHIP, PROVIDED THAT REGISTRATION IS NOT REQUIRED AT THE TIME OF WHOLESALE TRANSFERS OF NEW BICYCLES TO BICYCLE DEALERS. NO PERSON SHALL BUY, SELL OR OTHERWISE TRANSFER OR RECEIVE OWNERSHIP OF A BICYCLE WHICH IS NOT REGISTERED AS HEREIN REQUIRED.

10:162. REGISTRATION PROCEDURE.

- (1) ALL REGISTERED BICYCLES MUST HAVE A SERIAL NUMBER PERMANENTLY MARKED ON THE FRAME. SUCH MARKING MAY BE APPLIED AT THE TIME OF REGISTRATION.
- (2) APPLICATION FOR REGISTRATION SHALL BE MADE ON FORMS FURNISHED BY THE CITY CLERK.
- (3) SUCH APPLICATION SHALL BE SIGNED BY THE PERSON TRANSFERRING AND THE PERSON RECEIVING OWNERSHIP OF THE BICYCLE OR THAT PERSON'S PARENT OR SPOUSE, PROVIDED THAT IF REGISTRATION IS MADE UNDER CIRCUMSTANCES WHERE IT IS NOT MANDATED BY THIS CHAPTER ONLY THE CURRENT OWNER NEED SIGN THE APPLICATION. IT SHALL STATE THE ADDRESS OF THE NEW OWNER, THE MAKE, TYPE AND COLOR OF THE BICYCLE, THE SERIAL NUMBER OF THE FRAME, AND THE FORMER REGISTRATION NUMBER.
- (4) THE POLICE DEPARTMENT SHALL PROVIDE THE CITY CLERK WITH A CURRENT LIST OF ALL BICYCLES WHICH HAVE BEEN REPORTED STOLEN OR MISSING. THE CITY CLERK SHALL COMPARE THE DESCRIPTION OF THE BICYCLE ON THE APPLICATION WITH SAID LIST AND IF THE BICYCLE APPEARS TO BE ONE ON THAT LIST HE SHALL REPORT THAT FACT TO THE POLICE DEPARTMENT.
- (5) IF THE BICYCLE IS ELIGIBLE FOR REGISTRATION AND UPON RECEIPT OF A REGISTRATION FEE OF \$ .50 THE CITY CLERK SHALL ISSUE TO THE NEW OWNER A REGISTRATION CARD WHICH WILL CONTAIN THE NAME AND ADDRESS OF THE OWNER, A DESCRIPTION OF THE BICYCLE AND THE REGISTRATION NUMBER. HE SHALL ALSO ISSUE THE OWNER A COPY OF THIS CHAPTER AND A REGISTRATION TAG WHICH SHALL CONTAIN THE WORDS "CITY OF ANN ARBOR" AND THE NUMBER OF THE REGISTRATION. THE REGISTRATION TAG SHALL BE FIRMLY ATTACHED TO THE BICYCLE IN A VISIBLE LOCATION.
- (6) THE CITY CLERK SHALL MAINTAIN A CROSS INDEX OF ALL SUCH REGISTRATIONS PROVIDING IDENTIFICATION BY OWNER'S NAME, BICYCLE SERIAL NUMBER AND REGISTRATION NUMBER. A COPY OF THAT CROSS INDEX SHALL ALSO BE MAINTAINED BY THE POLICE DEPARTMENT.

RULES FOR RIDING AND OPERATING

10:163. REGISTRATION BY DEALERS. PERSONS IN THE BUSINESS OF SELLING BICYCLES AT LOCATIONS COMPLYING WITH THE PROVISIONS OF CHAPTER 55 OF THIS CODE MAY PERFORM THE REGISTRATION FUNCTIONS OF THE CITY CLERK SPECIFIED IN SECTION 10:162 PURSUANT TO THE FOLLOWING REQUIREMENTS:

- (1) PERSONS SEEKING TO PERFORM SUCH REGISTRATIONS SHALL APPLY TO THE CITY CLERK. IF IT APPEARS TO THE CITY CLERK THAT THE APPLICANT IS QUALIFIED, THE APPLICANT SHALL BE ISSUED ADEQUATE COPIES OF THE REGISTRATION APPLICATIONS, REGISTRATION CARDS, REGISTRATION TAGS AND THIS CHAPTER OF THE CODE.
- (2) SO THAT THE DEALER MAY COMPLY WITH THE REQUIREMENTS OF SECTION 10:162(4) THE CLERK SHALL PROVIDE THE DEALER WITH THE CURRENT LIST OF STOLEN AND MISSING BICYCLES. THIS LIST SHALL BE UPDATED ON A REGULAR BASIS AND MAILED TO ALL QUALIFIED DEALERS. IN ADDITION TO CONSULTING SAID LIST AT THE TIME OF REGISTRATION, DEALERS SHALL USE IT TO DETERMINE WHETHER BICYCLES BROUGHT TO THEM FOR SERVICE ARE ON THE LIST AND IF SO, THE DEALER SHALL REPORT THAT FACT TO THE POLICE DEPARTMENT.
- (3) DEALERS WHO PERFORM REGISTRATIONS PURSUANT TO THIS CHAPTER SHALL REGISTER BICYCLES FOR ANYONE WHO REQUESTS SUCH REGISTRATION, PROVIDED THAT THEY NEED NOT REGISTER BICYCLES IN CONNECTION WITH SALES TO OR BY OTHER BICYCLE DEALERS.
- (4) WITHIN SEVENTY-TWO HOURS OF EACH REGISTRATION THE DEALER PERFORMING THE REGISTRATION SHALL TRANSMIT THE RECORDS OF THE REGISTRATION AND THE REGISTRATION FEE TO THE CITY CLERK.
- (5) IF ANY DEALER FAILS TO COMPLY WITH PROVISIONS OF THIS CHAPTER THE CITY CLERK MAY REFUSE TO PERMIT SAID DEALER TO REGISTER BICYCLES.

10:164. RIDING ABREAST. PERSONS RIDING BICYCLES UPON A ROADWAY SHALL NOT RIDE ABREAST WHEN A MOTOR VEHICLE TRAVELING BEHIND BICYCLES OPERATED ABREAST SOUNDS ITS HORN. AT SOUNDING OF THE HORN THE BICYCLES SHALL BE OPERATED SINGLE FILE UNTIL MOTOR VEHICLES TRAVELING BEHIND HAVE HAD AN OPPORTUNITY TO PASS THEM.

10:165. Clinging to Vehicles. No person operating a bicycle shall cling or attach himself, or the bicycle to any other moving vehicle.

10:166. Number and Manner of Carrying Persons. No person shall ride upon any bicycle:

- (1) Other than upon or astride a permanent and regular seat attached thereto.
- (2) Which is being used to carry more persons at one time than the number for which it is designed and equipped.

10:167. Lights. No bicycle shall be operated within the period from  $\frac{1}{2}$  HOUR AFTER sunset to  $\frac{1}{2}$  HOUR BEFORE sunrise without having a properly lighted headlight CLEARLY visible from the front OF THE BICYCLE, nor without having a red light or a reflector clearly visible FROM the rear.

10:168. Riding on Sidewalks.

- (1) NO PERSON when riding a bicycle upon sidewalk shall fail to yield the right of way to any pedestrian.

10:169. Parking. No person shall stand or park a bicycle upon THE STREET other than in a bicycle rack OR STORAGE FACILITY. It shall be unlawful to park a bicycle ALONG sidewalks in such a manner as to interfere with pedestrians or along roadways where they may interfere with traffic or with persons getting into or out of motor vehicles.

10:170. Right, Keep to. All bicycles when operated on roadways shall be kept to the right and shall be operated as near as practical to the right-hand edge of the highway EXCEPT WHEN MAKING LEFT TURNS AND WHEN THROUGH TRAFFIC IS NOT PERMITTED IN THE RIGHT LANE, PROVIDED THAT ON ONE-WAY STREETS THEY MAY BE OPERATED ON THE FAR LEFT-HAND EDGE OF THE HIGHWAY.

10:171. Speed. No bicycle shall be operated at any time faster than is reasonable or proper, and every bicycle shall be operated with reasonable regard to the safety of the rider and other persons and property.

10:172. Brakes. Every bicycle shall be equipped with a AT LEAST ONE EFFECTIVE brake.

10:173. BICYCLE PATHS.

- (1) WHENEVER A BICYCLE PATH HAS BEEN PROVIDED ADJACENT TO A ROADWAY AND HAS BEEN DESIGNATED BY CITY COUNCIL RESOLUTION AS A BICYCLE PATH FOR MANDATORY USE, BICYCLE RIDERS SHALL USE SUCH PATH AND SHALL NOT USE THE ROADWAY.
- (2) AS USED IN THIS SECTION "BICYCLE PATH" MEANS A PAVED SURFACE AT LEAST FOUR FEET WIDE WHICH MEETS THE FOLLOWING REQUIREMENTS:
  - a. IT SHALL BE IDENTIFIED AS A BICYCLE PATH BY APPROPRIATE SIGNS.
  - b. AT ALL PLACES WHERE SUCH PATHS INTERSECT WITH CURBS THERE SHALL BE BICYCLE RAMPS HAVING A HORIZONTALLY LEVEL SURFACE AT LEAST FORTY INCHES WIDE. WHEREVER POSSIBLE SUCH RAMPS SHALL HAVE A LONGITUDINAL SLOPE OF NOT MORE THAN TWENTY DEGREES.
  - c. THE PATH MUST BE KEPT CLEAR OF ICE, SNOW AND ANY OTHER OBSTRUCTION WHICH MAKES ITS USE UNSAFE.
- (3) DESIGNATION BY THE CITY COUNCIL OR CITY ADMINISTRATOR OF A BICYCLE PATH AS SUCH SHALL BE PRIMA FACIE EVIDENCE THAT SUCH A PATH MEETS THE REQUIREMENTS OF THIS SECTION.
- (4) NO PERSON SHALL STOP OR PARK A MOTOR VEHICLE IN A MANNER THAT OBSTRUCTS A BICYCLE PATH OR BICYCLE PATH CROSSING.
- (5) A PERSON RIDING A BICYCLE ON A BICYCLE PATH ADJACENT TO A ROADWAY SHALL OBEY THE TRAFFIC CONTROL DEVICES APPLICABLE TO VEHICLES ON THE ROADWAY UNLESS BY SIGNS THEY ARE DESIGNATED AS NOT APPLICABLE TO BICYCLISTS, PROVIDED THAT ON BICYCLE PATHS WHICH ARE SEPARATED FROM THE ROADWAY BY CURBS, BICYCLES MAY BE OPERATED IN A DIRECTION OTHER THAN THAT REQUIRED OF MOTOR VEHICLES ON THE ROADWAY.

IMPOUNDING

10:174. Impounding of Vehicles. Members of the Police Department are hereby authorized to remove bicycles from a public place to the City Bicycle Pound or other place of safety, under the circumstances hereinafter enumerated.

- (1) When any bicycle is reasonably believed to be stolen.
- (2) When any bicycle has been left unattended upon any public street, alley, or sidewalk continuously for a period of 48 hours, or when any bicycle is left in such a manner as to obstruct unreasonably the flow of vehicular or pedestrian traffic on any public street, alley, or sidewalk.
- (3) WHEN THE OPERATOR OF A BICYCLE IS DETAINED BECAUSE OF A TRAFFIC VIOLATION AND REFUSES TO GIVE HIS OR HER NAME AND ADDRESS.

10:175. Notice. When a bicycle is impounded under the provisions of this section and the Police Department knows or is able to ascertain the owner thereof the Police Department shall, within a reasonable period of time, give and cause to be given a notice in writing to such owner of the fact of impoundment and reasons therefor.

10:176. Fee. NO BICYCLE SHALL BE DISCHARGED OR REMOVED FROM THE BICYCLE POUND UNLESS OR UNTIL IT IS REGISTERED. No impounded bicycle shall be discharged or removed from the Bicycle Pound except upon the payment by the Owner or his or her authorized representative of the sum of \$3.00 as an impounding fee; provided, however, that no such fee shall be required for a stolen bicycle if it is reclaimed by the owner AFTER being notified of the impoundment and if said owner signs an affidavit that the bicycle was stolen. Said fee shall be paid at the Violations Bureau of the District Court in the City of Ann Arbor.

10:177. Sale. Any bicycle impounded under the provisions of this Code, may, after one month from the date of impoundment, be sold by the Police Department at public sale in the same manner as provided in Section 1:53, Chapter 4, Title I of the Code of the City of Ann Arbor.

10:178. MOTORBIKES.

- (1) AS USED IN THIS SECTION "MOTORBIKE" MEANS A PEDAL BICYCLE WITH A HELPER MOTOR RATED LESS THAN ONE BRAKE HORSEPOWER TRANSMITTED BY FRICTION AND NOT BY GEAR OR CHAIN, WHICH PRODUCES ONLY ORDINARY PEDALING SPEEDS UP TO A MAXIMUM OF TWENTY MILES PER HOUR.
- (2) ALL THE PROVISIONS OF THIS CHAPTER APPLY TO MOTORBIKES EXCEPT AS FOLLOWS:
  - a. MOTORBIKES MAY NOT BE OPERATED ON SIDEWALKS OR BICYCLE PATHS WITH THE MOTOR TURNED ON.
  - b. NO PERSON SHALL OPERATE A REGISTERED MOTORBIKE IN EXCESS OF TWENTY MILES PER HOUR.
  - c. NO PERSON SHALL OPERATE A MOTORBIKE ON ANY STREET UNLESS SAID PERSON HAS A VALID MOTOR VEHICLE LICENSE ISSUED BY THE STATE OF MICHIGAN.
  - d. THE PROVISIONS OF SECTION 10:173(1) SHALL NOT APPLY TO MOTORBIKES WHEN OPERATED WITH THE MOTOR TURNED ON.

10:179. Enforcement. This chapter may be enforced by issuance of traffic violation notices requiring appearance at the Traffic Violations Bureau.

Section 2. This ordinance shall be effective ON AND AFTER SEPTEMBER 15, 1974.