

ORDINANCE #209

AN ORDINANCE REGULATING THE USE OF BICYCLES, SKATEBOARDS, SCOOTERS AND ROLLER SKATES/ROLLER BLADES.

Definitions:

Bicycle means every device propelled by human power upon which any person may ride, having either two tandem wheels or three wheels, any of which is over ten inches in diameter.

Scooter means a skateboard which has a vertical bar and handlebar used for steering purposes, and which includes a device that consists typically of a narrow footboard mounted between two wheels tandem with an upright handle attached to the front wheel that is operated by placing one foot on the footboard and pushing with the other foot.

Skateboard means a board mounted on roller skate-type wheels, including a board that consists typically of a narrow footboard mounted between four small wheels that is operated by placing one foot on the footboard and pushing with the other foot.

Roller Skates/Roller Blades means a shoe, boot-like-device, or frame affixed to a shoe, with wheels attached for the purpose of skating.

SECTION I: Bicycles

Number Allowed on Bicycle

No bicycle shall be used to carry more persons at one time than the number for which it is designed.

Propelling Bicycle

A person propelling a bicycle shall not ride other than upon or astride a permanent and regular seat attached thereto.

Clinging to other Vehicles

No person riding upon any bicycle shall attach it or himself or herself to any other vehicle upon a roadway.

Operation on Sidewalks

Subject to the conditions set forth herein, and unless otherwise posted, bicycles may be operated on sidewalks within the commercial/downtown area of the Village, which is defined as: E. Main Street from the East Alley located next to 206 Main Street, to the East corner of M-99 at Maple Street, including both sides of the streets:

- A. Bicycles ridden on sidewalks permitted in this section shall not be operated at a speed greater than ten miles per hour.
- B. Any person operating a bicycle shall yield the right-of-way to any pedestrian and shall exercise due care when near such pedestrian, and shall exercise due care particularly when passing a pedestrian on the sidewalk.

Operation on Shared Facilities

When using bike paths, pedestrians shall walk as far to the right as practicable, shall walk no more than two abreast; and shall exercise due care. Anyone using a bicycle shall give audible signal before passing a pedestrian on a bike path or route.

Racing

No person shall engage in, or cause others to be engaged in, any racing of bicycles upon the streets or sidewalks or other public places in the city, except under a permit from, and under the supervision of, the police department of this township.

Subject to Traffic Ordinances

Every person riding or operating a bicycle on a street, sidewalk, or public path in the Village shall be subject to all the provisions of the laws of the State of Michigan. Specifically, every person riding or operating a bicycle shall obey all traffic signals, signs and devices in the same manner and to the same extent as would be required if said person was operating a motor vehicle; and, every person riding or operating a bicycle shall be required immediately, before crossing a street or public roadway, where any bike path or sidewalk intersects, to come to a complete stop for the purpose of making an observation in order to ensure that said street or sidewalk is clear of pedestrians or vehicles.

Adequate Brakes

Every bicycle operated upon the streets of the Village shall be equipped with brakes adequate to control the movement of, and to stop and to hold, such vehicle.

Speed Per Existing Condition

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

Reckless or Careless Driving

No person shall ride a bicycle in a reckless or careless manner, which endangers or is likely to endanger the safety or welfare of the rider or that of other persons or property.

Bicycle Under Control

No person operating a bicycle shall carry any package, bundle or article, which prevents the rider from keeping at least one hand upon the handlebars and in full control of such bicycle.

Parking

All bicycle, when parked on sidewalks, shall be parked only in such a manner as not to obstruct pedestrian traffic or access to adjacent buildings. No bicycle shall be parked on a sidewalk other than in an upright position supported by a rack or its own standard. If there is no rack within which to park the bicycle on a sidewalk, the bicycle must be parked at the curb or next to the inside edge of the sidewalk.

No bicycle shall be parked in any street. No bicycle shall be parked in such a manner as to obstruct the pedestrian walkway or in a manner that interferes with the entrance and/or exit of a business.

SECTION II: Skateboards, Scooters, and Roller Skates/Roller Blades

Every person riding or operating a skateboard, scooter, roller skate or roller blade on a street, sidewalk, or public path in the Village shall be subject to all the provisions of the laws of the State of Michigan. Specifically, every such rider and/or operator shall obey all traffic signals, signs and devices in the same manner and to the same extent as would be required if said person was operating a motor vehicle; and, every such rider and/or operator shall be required if said person was operating a motor vehicle; and, every such rider and/or operator shall be required immediately, before crossing a street or public roadway, to come to a complete stop for the purpose of making an observation in order to ensure that said street or sidewalk is clear of pedestrians or vehicles.

No person riding a skateboard, scooter, roller skate or roller blade shall be pulled or towed by a bicycle or a vehicle upon a sidewalk or roadway.

No person shall operate a skateboard, scooter, roller skate or roller blades on a public street, sidewalk, or parking lot within the Village in a careless or reckless manner so as to endanger the safety or property of either the operator or another person.

It is prohibited for a person riding or operating a skateboard, scooter, roller skate or roller blade on a street, sidewalk, or public path in the Village to jump on or off curbs; to go up or down ramps or railings; to go up or down steps.

SECTION III: Penalties

Operators under sixteen

Any person under the age of 16 found in violation of any provision of the Ordinance shall be deemed to have committed a civil infraction and shall be subject to the following penalties:

- a. First offense: written notification sent to parent advising of the violation and warning that subsequent violations, of any

provisions, may result in impoundment of the bicycle, scooter, skateboard, or roller skates/roller blades.

- b. Second offense: payment of a fifty-dollar (\$50.00) fine and impoundment of the bicycle, scooter, skateboard, or roller skates/roller blades by the Police Department until such time as the person brings his/her parent or legal guardian to the Police Station to pay the fine and pick up the item impounded. The parent or guardian will be provided with a notice stating that any additional infraction will result in the assessment of additional scheduled fines as set forth herein.
- c. Third and subsequent offenses: for each offense, impoundment of bicycle, scooter, skateboard, or roller skates/roller blades by the Police Department until pick-up by the parent or legal guardian and payment by parent or legal guardian of a fine on one-hundred dollars (\$100.00) for the third offense and two-hundred fifty dollars (\$250.00) for each subsequent offense.

Operators sixteen and over

Any person 16 years of age and over violating any of the provisions of this Ordinance shall be deemed to have committed a civil infraction and shall be subject to having his/her bicycle, roller skates/roller blades, scooter or skateboard immediately impounded by the Township Police Department as set forth in letters a, b, and c directly above, except that the following fines shall apply: fifty dollars (\$50.00) for the first offense; one-hundred dollars (\$100.00) for the second offense; two-hundred fifty dollars (\$250.00) for the third and each subsequent offense.

Parent/Guardian Responsibility

No parents of any minor child and no guardian of any minor ward shall authorize or knowingly permit any such minor child or ward to violate any of the provisions of the Ordinance. A parent or legal guardian who violates this prohibition shall be deemed to have committed a civil infraction and shall be subject to the same schedule of fines as set forth directly above with respect to operators sixteen and over.

Adopted the ____th day of ____ 2007.

Effective the ____th day of _____, 2007 Reviewed By:

Village Clerk, Lydia Yoder

Village Attorney, Stuart Saunders

Village President, Jeremiah Newsome

Village Manager, Rosalee Terpening