

Chapter 6 BICYCLES

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Article 6.04 In General

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Section 6.04.010 Permitting child to violate article; applicability of chapter generally

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.

The regulations applicable to bicycles shall apply whenever a bicycle is operated upon any street or upon any public path set aside for the exclusive use of bicycles, subject to those exceptions stated in this chapter. (Ord. No. 483, art. 11, § 20-100.)

Section 6.04.020 Licenses--Required

No person who resides within the 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 decal is attached thereto as provided in this chapter. (Ord. No. 483, art. 11, § 20-101.)

For state law as to authority of city to fix amount, terms, etc., of licenses, see NDCC, § 40-05-01.

Section 6.04.030 Same--Application

Application for a bicycle license and license plate or decal shall be made upon a form provided by the city and shall be made to the city auditor. The city auditor may designate local business establishments who sell, maintain, or repair bicycles as licensing facilities provided that said local business establishments shall issue said licenses in accordance with appropriate forms, rules and regulations as provided to them by the city auditor.

- (a) A nonrefundable license fee shall be paid to the city before each license is granted. Said license shall constitute a permanent license until transferred when the ownership of the bicycle changes. Upon a transfer of ownership a nonrefundable license fee shall be paid to the city for said transfer thereof. The amount of the license fee shall be determined from time to time by the board of city commissioners and shall be on file in the office of the city auditor in the city

fee schedule. (Ord. No. 483, art. 11, § 20-102; Ord. No. 642, § 4; Ord. No. 1051, § 1; Ord. No. 1086, § 3.)

Section 6.04.040 Same--Issuance; term; records kept by chief of police

The city auditor upon receiving proper application is authorized to issue a bicycle license which shall be effective until transfer of ownership of said bicycle.

The city auditor shall not issue a license for any bicycle when he knows or has reasonable ground to believe that the applicant is not the owner of or entitled to the possession of such bicycle.

The city auditor shall keep a record of the number of each license, the date issued, the name and address of the person to whom issued, the number on the frame of the bicycle for which issued and a record of all bicycle license fees collected by him. (Ord. No. 483, art. 11, § 20-103; Ord. No. 1051, § 2.)

Section 6.04.050 Same--Destruction, defacement or loss of license

Upon the destruction, defacement or loss of any bicycle license, a new license plate or decal can be obtained upon a showing of proof of ownership of bicycle and payment of the same fee as upon an original application. (Ord. No. 483, art. 11, § 20-106; Ord. No. 1051, § 3.)

Section 6.04.060 License plates or decals--Issuance and form

The city auditor upon issuing a bicycle license shall also issue a license plate or decal bearing the license number assigned to the bicycle, the name of the city and the calendar year for which issued. (Ord. No. 483, art. 11, § 20-104; Ord. No. 1051, § 4.)

Section 6.04.070 Same--Attachment; removal

The license holder shall cause such license plate or decal to be firmly attached to the rear mudguard or frame of the bicycle for which issued in such position as to be plainly visible from the rear.

No person shall remove a license plate or decal 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. (Ord. No. 483, art. 11, § 20-104; Ord. No. 1051, § 5.)

Section 6.04.080 Rentals

A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license plate or decal is attached thereto as provided in this chapter and such bicycle is equipped with the lamps and other equipment required in this article. (Ord. No. 483, art. 11, § 20-107.)

Section 6.04.090 Records of purchases and sales by dealers

Every person engaged in the business of buying or selling new or secondhand bicycles within the city shall keep a record of every bicycle purchased or sold by such dealer, giving the name and address of the person from whom purchased or to whom sold, a description of such bicycle by name or make, the frame number thereof and the number of license plate or decal, if any, found thereon. Such record shall be made available to the city auditor at reasonable times and hours. (Ord. No. 483, art. 11, § 20-108; Ord. No. 1051, § 7.)

Section 6.04.100 Equipment--Lamps

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 feet to the front and with a red reflector on the rear of a type which shall be visible from all distances from fifty feet to three hundred feet to the rear when directly in front of lawful upper beams of handlamps on a motor vehicle. A lamp emitting a red light visible from a distance of five hundred feet to the rear may be used in addition to the red reflector. (Ord. No. 483, art. 11, § 20-119.)

For similar state law, see NDCC, § 39-10-63.1.

Section 6.04.110 Same--Aural warning devices

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 feet; except, that a bicycle shall not be equipped with nor shall any person use upon a bicycle any siren or whistle. (Ord. No. 483, art. 11, § 20-119.)

Section 6.04.120 Same--Brakes

Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement. (Ord. No. 483, art. 11, 20-119.)

For similar state law, see NDCC, § 39-10-63.1.

Article 6.08 Operation

Sections:

- 6.08.010** Compliance of riders with laws, etc., governing vehicles
- 6.08.020** Obedience to traffic control devices
- 6.08.030** Propelling; number of riders permitted
- 6.08.040** Proper side of road; passing other vehicles; riding two abreast; use of paths adjacent to roadways
- 6.08.050** Speed
- 6.08.060** Emerging from alleys, driveways or buildings
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- 6.08.090** Parking
- 6.08.100** Riding on sidewalks generally

Section 6.08.010 Compliance of riders with laws, etc., governing vehicles

Every person riding a bicycle upon a roadway shall be granted all of 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 of the city applicable to vehicles or by the traffic provisions of this Code or other ordinances of the city applicable to the driver of a vehicle, except as to special regulations in this article and those provisions which by their nature can have no application. (Ord. No. 483, art. 11, § 20-109.)

For similar state law, see NDCC, § 39-10-02.1. As to motor vehicles and traffic generally, see Ch. 23 of this Code.

Section 6.08.020 Obedience to traffic control devices

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.

Whenever authorized signs are erected indicating that no right, 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. (Ord. No. 483, art. 11, § 20-110.)

Section 6.08.030 Propelling; number of riders permitted

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

No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped. (Ord. No. 483, art. 11, § 20-111.)

For similar state law, see NDCC, § 39-10-60.

Section 6.08.040 Proper side of road; passing other vehicles; riding two abreast; use of paths adjacent to roadways

Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

Persons riding bicycles upon a roadway shall not ride more than two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.

Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway. (Ord. No. 483, art. 11, § 20-112.)

For similar state law, see NDCC, § 39-10-62.

Section 6.08.050 Speed

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing. (Ord. No. 483, art. 11, § 20-113.)

Section 6.08.060 Emerging from alleys, driveways or buildings

Upon approaching a sidewalk or the sidewalk area extending across any alleyway, the operator of a bicycle emerging from an alley, driveway or building shall yield the right-of-way to all pedestrians approaching on such sidewalk or sidewalk area and upon entering the roadway, shall yield the right-of-way to all vehicles upon such roadway. (Ord. No. 483, art. 11, § 20-114.)

Section 6.08.070 Clinging to vehicles

No person riding upon any bicycle shall attach such bicycle or himself to any vehicle upon a roadway. (Ord. No. 483, art. 11, § 20-115.)

For similar state law, see NDCC, § 39-10-61.

Section 6.08.080 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 handlebars. (Ord. No. 483, art. 11, § 20-116.)

For similar state law, see NDCC, § 39-10-63.

Section 6.08.090 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 a manner as to afford the least obstruction to pedestrian traffic. (Ord. No. 483, art. 11, § 20-117.)

Section 6.08.100 Riding on sidewalks generally

No person shall ride a bicycle upon a sidewalk within a business district.

No person fifteen or more years of age shall ride a bicycle upon any sidewalk in any district.

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. (Ord. No. 483, art. 11, § 20-118.)