

ORDINANCE NO. 852

AN ORDINANCE PROVIDING FOR BICYCLE OPERATING RULES, BICYCLE EQUIPMENT, LICENSING AND REGISTRATION, AND IMPOUNDING; PRESCRIBING PENALTIES, AND REPEALING ORDINANCES IN CONFLICT HEREWITH; AND DECLARING AN EMERGENCY.

The people of the City of Prineville ordain as follows:

Section 1. Definitions.

(a) Bicycle. A nonmotorized vehicle designed to be ridden, propelled by human power and having two or more wheels with a diameter of more than 10 inches, or where any one wheel has a diameter more than 15 inches.

(b) Chief of police. The words as used herein shall be deemed to mean the chief of police of the City of Prineville, or any member of the police department of the City of Prineville.

(c) Rental agency. Any person, firm, copartnership, association or corporation engaged in the business of offering for rental bicycles for use by the public.

Section 2. Equipment. In addition to ORS 483.444, concerning equipment requirements on bicycles, all bicycles shall be equipped with a clean white head lamp visible at not less than 500 feet and rear reflector visible at not less than 200 feet if the bicycle is ridden later than 30 minutes after sunset or earlier than 30 minutes before sunrise. All bicycles shall be equipped with a brake adequate to control the movement of and stop the vehicle. In addition, bicycles shall have a bell or horn; no bicycle shall be equipped with a siren or whistle.

Section 3. Bicycle Operating Rules. In addition to observing all other applicable provisions of the ordinance and state laws, a bicycle rider, while operating on any public street, highway, road, sidewalk, park, or any public land within the City of Prineville shall:

(a) Not ride upon a sidewalk within the below described areas: from the intersection of 3rd Street and Fairview Street west to Court Street, north to 4th Street, west to Deer Street, south to 2nd Street, east to Main Street, south to 1st Street, east to Court Street, north to 2nd Street, east to Fairview Street, and north 3rd Street; 3rd Street from Fairview to Locust Street, and on Main Street from east 10th Street to west 1st Street.

(b) Yield the right-of-way to pedestrians on sidewalks where riding is permitted, and shall give audible signal with horn or bell before overtaking and passing a pedestrian.

(c) Ride to the extreme right when possible so as not to impede auto traffic, except when preparing for a left turn.

(d) Not carry a package, bundle, article or person which prevents him from having full control of the bicycle and unhindered vision.

(e) Ride single file on the streets, except on the paths designated for bicycle use, where they shall not exceed two abreast.

(f) Not operate a bicycle in a careless or reckless manner which endangers or would be likely to endanger himself, another or any property. Racing or trick riding shall be included in this offense.

(g) Not park a bicycle upon a street or a sidewalk except in a bicycle rack or against a building or at the curb, in such a manner as to afford the least obstruction to pedestrian traffic.

(h) Not attach the bicycle or himself to a moving vehicle.

(i) Not ride a bicycle upon a street or sidewalk when under the influence of intoxicating liquors or dangerous drugs.

(j) Observe all traffic signs and signals and observe all other traffic rules and regulations applicable.

Section 4. Legal Responsibilities. A parent or guardian or person standing in the position of parent of any minor child under the age of 18 shall not authorize or knowingly permit a minor child or ward to operate an unsafe bicycle.

Section 5. Sale or Change of Ownership. It shall be the duty of the purchaser or recipient of an unlicensed bicycle to apply for a license within 10 days of acquisition of the bicycle.

Section 6. Licenses for Rental Bicycles. All rental agencies who rent bicycles shall first obtain a license from the police department for each bicycle so used, by paying the regular license fee. The license shall be attached to the bicycle for which it is issued.

Section 7. Impounding of Bicycles.

(a) A bicycle left on public property for a period in excess of 72 hours may be impounded by the police department.

(b) If a bicycle impounded under this ordinance is licensed, or other means of determining its ownership exist, the police shall make reasonable efforts to notify the owner.

(c) A bicycle impounded under this ordinance which remains unclaimed shall be disposed of in accordance with the city's procedures for disposal of abandoned or lost personal property.

Section 8. License and Registration.

(a) All residents of the city who either own or control a bicycle to be operated within the city shall register the same with the Chief of Police and shall be issued a registration certificate by the city upon payment of an annual license fee.

(b) The Chief of Police shall inspect each bicycle presented to him for registration, and he shall have the authority to refuse to license any bicycle found to be in unsafe mechanical condition.

(c) License numbers shall be issued only to bicycle owners who have passed a written or oral examination on traffic regulations and the safe operation of a bicycle, and who have satisfactorily demonstrated their ability to ride a bicycle in a safe manner; providing, however, this requirement may be waived by the Chief of Police at his discretion.

(d) The Chief of Police shall record the name and address of the registrant, the make of the bicycle to be registered, its serial or frame number, style and general description, together with the license numbers. The Chief of Police shall keep on file the information obtained when licensing bicycles.

(e) It shall be the duty of all persons purchasing or obtaining a second-hand bicycle to apply for a transfer of the registration thereof within 10 days of the transaction.

Section 9. Authority to Revoke or Suspend Registrations. The Chief of Police is hereby authorized and empowered to suspend or revoke any registration issued under the provisions of this ordinance for repeated violations thereof.

Section 10. Penalty.

(a) Any person, 16 years of age or over, violating any of this ordinance shall, upon conviction thereof, be punished by a fine not to exceed \$100.00.

(b) Any person, under the age of 16 years, violating any of the provisions of this ordinance shall, upon first citation thereof, attend Bicycle Safety School, upon the second citation thereof, be referred to the Crook County Juvenile Department for community service work and be required to attend an additional Bicycle Safety School, upon the third and subsequent citation they shall be cited to the Crook County Juvenile Court.

(c) In addition to other penalties the court may order, bicycles maybe impounded for a period not to exceed 30 days upon conviction for those 16 years or older or upon citation for those under 16 years.

Section 11. Ordinance No. 691 is hereby repealed.

Section 12. As it is necessary for the immediate preservation of the peace, health, safety and welfare of the City of Prineville that this ordinance take effect immediately upon its passage by the City Council and approved by the Mayor, an emergency is hereby declared.

Passed by the City Council this 11th day of August, 1981.

Approved by the Mayor this 11th day of August, 1981.

David C. Asher
David C. Asher
Mayor

ATTEST:

Henry Hartley
Henry Hartley
City Administrator

Locust St.

1st St.

2nd St.

3rd St.

4th St.

10th St.

Deer St.

Claypool St.

Beaver St.

Main St.

Bellnap St.

Court St.

Dunham St.

Elm St.

Fairview St.

