

ORDINANCE NO. 435

AN ORDINANCE PROVIDING FOR THE OPERATION OF BICYCLES WITHIN THE CITY OF STAYTON, OREGON; A PENALTY; DECLARING AN EMERGENCY; AND REPEALING ORDINANCE NO. 421.

The City of Stayton do ordain as follows:

Section 1. Definitions of words and phrases. The following words and phrases when used in this ordinance shall, for the purpose of this ordinance, have the meanings respectively ascribed to them in this section.

(a) Bicycle. The term "bicycle" means every wheeled device upon which any person may ride, having a steering handle or steering bar or steering wheel, and a saddle seat or seats, and propelled by human power through a belt or chain or gears.

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

Section 2. Effect of Ordinance. No parent of any minor child and no guardian of any minor ward may authorize or knowingly permit any such minor child or ward to violate the provisions of this ordinance.

(a) Except as otherwise provided in this ordinance, every person riding or operating a bicycle upon any street or other public place shall be subject to all the provisions of this ordinance and the laws of the State of Oregon applicable to the drivers of vehicles, except those provisions which by their very nature can have no application.

Section 3. Operation. In addition to observing all other applicable provisions of this ordinance and state law, a rider of a bicycle shall:

(a) Not ride other than with his feet on the pedals and facing the front of the bicycle, and at least one hand on the steering mechanism.

(b) Not use the bicycle to carry more persons at one time than the number for which the bicycle is designed and equipped.

(c) On a two-way street, ride to the extreme right except when preparing for a left turn. On a one-way street, ride to the extreme curbside of the traffic lane and with the direction of travel designated for that lane. If the curb lane is designated for "Left Turn" or "Right Turn" only, and the operator is not intending to turn, he shall operate in the through lane, exercising due care when passing a pedestrian or a standing vehicle or one proceeding in the same direction.

(d) Upon a street or other public place shall not ride more than two abreast.

(e) Not carry a package, bundle, or article which presents the rider from keeping at least one hand upon the handle bars, his vision unhindered and in full control of such bicycle.

(f) Not operate a bicycle in a careless or reckless manner which endangers or would be likely to endanger himself, another, or any property.

(g) Not engage in or cause others to be engaged in bicycle racing or trick riding upon a street or other public place.

(h) Not ride or operate a bicycle upon a sidewalk in a business district. A person riding a bicycle upon a sidewalk in any public place other than a business district shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

(i) Not operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing.

(j) Not operate a bicycle upon a street or other public place unless it is equipped with brakes adequate to control the movement of and to stop and to hold the bicycle.

(k) Not leave a bicycle, except in a bicycle rack. If no rack is provided, he shall leave the bicycle so as not to obstruct any roadway, sidewalk, driveway, or building entrance, nor leave it on private property without the consent of the person in charge or the owner thereof.

(l) Not operate a bicycle upon any street, highway or public place at anytime from a half-hour after sunset and to a half-hour before sunrise without a clear white headlight firmly attached to the bicycle and visible from at least 500 feet to the front of such bicycle, and a red light or red reflector on the rear, of such size or characteristics and so mounted as to be visible at night from all distances within 300 feet to 50 feet from the rear of such bicycle.

Section 4. Impounding of Bicycles.

(a) A bicycle abandoned on public property may be impounded by the police department.

(b) In addition to any citation issued, a bicycle parked in violation of this ordinance may be immediately impounded.

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

(d) 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 5. Authority to Enforce:

(a) The Chief of Police is hereby authorized and empowered to administer the provisions of this ordinance, and all police officers are hereby charged with the duty of enforcing the provisions hereof.

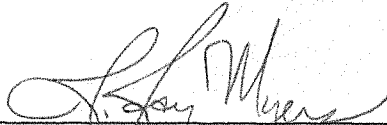
Section 6. Ordinance No. 421 of the City of Stayton relating to bicycles is hereby repealed.

Section 7. Penalties. Violation of any provision of this ordinance shall be punishable upon conviction in municipal court by a fine not exceeding \$25.00 or impoundment of the bicycle for a period not to exceed ten (10) days, or both fine and impoundment.

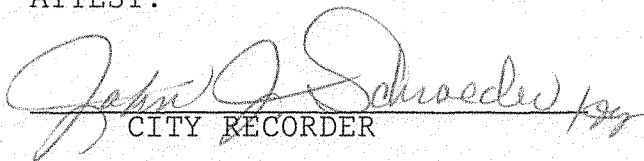
Section 8. It is hereby adjudged and declared that existing conditions in the City of Stayton are such that this ordinance is necessary for the immediate preservation of the peace, health, safety, and general welfare of the City and the inhabitants hereof, and an emergency hereby is declared to exist, and this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED by the Council this 18th day of June, 1973.

APPROVED by the Mayor this 18th day of June, 1973.


MAYOR

ATTEST:


CITY RECORDER