

CHAPTER 440

Bicycles, Skateboards & In-Line Skates

- 440.01 Definitions
- 440.02 Operation Upon public Ways; Towing Prohibited
- 440.03 Roller Skating & Skateboards Permitted in Certain Areas
- 440.04 Passing on Sidewalks
- 440.05 Right of Way of Pedestrians; Control; Speed Limit
- 440.06 Obedience of Traffic Signals & Regulations
- 440.07 Passengers on Bicycles; Child Seats
- 440.08 Riding Abreast
- 440.09 Lamps & Reflectors on Bicycles
- 440.10 Parking Regulations in Downtown Business District
- 440.11 Issuance of Civil Infraction Citations
- 440.12 Penalty
- 440.13 Severability

CROSS REFERENCES

Traffic rules and regulations in home rule cities – see M.C.L.A. Sect. 117.4h
Traffic rules and regulations generally – see M.C.L.A. Sect. 257.601 et seq.,
257.634 et seq.
Uniform Traffic Code – see M.C.L.A. Sect. 257.951 et seq.; TRAF. Ch 410

440.01 DEFINITIONS.

The following words, when used in this chapter, shall have the following meanings, unless otherwise clearly apparent from the context:

(a.) The word "bicycle" shall mean any wheeled vehicle propelled by means of chain driven gears using foot power, electrical power or gasoline motor power, except that vehicles defined as "motorcycles" or "mopeds" under the Motor Vehicle Code the State of Michigan shall not be considered as bicycles under this chapter. This definition shall include, but not be limited to, Single-wheeled vehicles, also known as unicycles; two wheeled vehicles, also known as bicycles; three-wheeled vehicles, also known as tricycles; and any of the above listed vehicles which may have training wheels or other wheels to assist in the balancing of the vehicle.

(b.) The word "skateboard" shall include any Surfboard-Like object with wheels attached. "Skateboard" shall also include, under its definition, vehicles commonly

referred to as "Scooters" or "Gopeds", being Surfboard-like objects with wheels attached and a handle coming up from the Forward end of the surfboard area.

(c.) The words "roller skates" shall include any shoe like device with wheels attached, including, but not limited to roller skates, in-line roller skates.

(d.) Handicapped motorized and non-motorized vehicles are exempt.

440.02 OPERATION UPON PUBLIC WAYS PROHIBITED; TOWING PROHIBITED.

(a.) No person shall ride, or in any manner use, a skateboard or roller skates upon the following public ways:

(1.) The roadway or sidewalk on Main Street, between 5th Street, on the North, and Railroad Avenue, on the South;

(b.) No person shall ride a bicycle or in any manner use a bicycle, except that a person may walk his or her bicycle, upon the following public ways:

(c.) The side-walks running along Main Street, between 5th on the North, and Railroad Avenue, on the South;

(d.) No person shall use a motor to pull another person using a skateboard, roller skates or a bicycle.

440.03 ROLLER SKATING AND SKATEBOARDS PERMITTED IN CERTAIN AREAS

Subject to the above, the use of roller skates and skateboards shall be permitted in the City limits under the following conditions:

(a.) No person shall operate roller skates or skateboards within the City, between sunset and sunrise.

(b.) Persons using roller skates or skateboards shall use them in a prudent manner, shall not interfere with the normal traffic flow of vehicles or pedestrians upon the streets or sidewalks of the City & shall be limited only to the road or sidewalk surface and not onto any item of personal property.

440.04 PASSING ON SIDEWALKS

It shall be unlawful for any person riding a bicycle on the sidewalks, where permitted, to attempt to pass another rider or person going in the same direction on said sidewalk without giving warning notice and until it becomes evident that the person so warned is aware of the approach of the rider.

440.05 RIGHT OF WAY OF PEDESTRIANS; CONTROL; SPEED LIMIT .

Pedestrians shall, at all times, have the right of way upon the sidewalks of the City of Ewart, and, if necessary, the riders of bicycles shall dismount and vacate the sidewalk in order to prevent a collision. Such riders must have the bicycle under control at all times. No person shall ride a bicycle upon any sidewalk at a speed considered reckless and dangerous.

440.06 OBEDIENCE TO TRAFFIC SIGNALS AND REGULATIONS

Every person riding a bicycle upon the public streets, alleys or sidewalks of the City, where permitted, at all times observe and obey all stop lights, stop signs and all other traffic signals and regulations, and shall be governed by the laws of Michigan relating to the operations on the public streets, alleys and sidewalks of vehicles so far as such laws apply to vehicles other than motor vehicles.

440.07 PASSENGERS ON BICYCLES; CHILD SEATS

A bicycle shall not be used to carry more persons at one time than the number for which it is designed and equipped. Equipment may include a properly installed child seat or carrier.

440.08 RIDING ABREAST

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

440.09 LAMPS AND REFLECTORS ON BICYCLES

(a.) A 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 500 feet to the front and with a red reflector on the rear which be visible from distances from 100 feet to 600 feet to the rear when in front or lawful lower beams of headlamps on a motor vehicle a lamp emitting a red light visible from a distance of 500 feet to the rear may be used in addition to the red reflector.

(b.) A bicycle, when in use at nighttime, shall be equipped with reflex reflectors located on the front-end rear services of the pedals. The pedal reflectors shall be visible from the front and rear of the bicycle during the nighttime from a distance of 200 feet when directly exposed to the lower beam headlamps of a motor vehicle.

(c.) A bicycle when in use at nighttime shall be equipped with reflective sidewalls or wide angle prismatic spoke reflectors. Reflective sidewalls or spoke reflectors shall cause a vehicle to be visible from all distances from 100 to 600 feet when viewed under lawful low beam motor vehicle headlamps under normal atmospheric conditions.

440.10 PARKING REGULATIONS IN DOWNTOWN BUSINESS SECTION

No person shall park: any bicycle on the sidewalk on any street in the Downtown Business District unless the bicycle is parked in bicycle racks which have been placed in an area designated by the City for the parking of bicycles. For the purposes of this section, the downtown business section of the City shall be defined as Main Street, between 5th Street and Railroad Avenue.

440.11 ISSUANCE OF CIVIL INFRACTION CITATIONS

The Chief of Police, or his or her designated representative, is hereby designated as the authorized City official to issue civil infraction citations.

440.12 PENALTY

A person who violates any provision of this chapter is responsible for a civil infraction and shall be subject to the payment of a civil fine of not more Fifty dollars (\$50.00), plus costs and other sanctions, for each infraction. A second offense, within a period of ninety days, shall be subject to a civil fine of not less than One hundred dollars (\$100.00), plus costs and other sanctions, for each infraction. Third and subsequent offenses, within ninety days, shall be subject to a civil fine of two hundred dollars (\$200.00), plus costs and other sanctions, for each infraction. The vehicle, in question, may also be impounded, pending payment of the civil fine.

440.13 SEVERABILITY

The various parts, sections, and clauses of this Ordinance are declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid by a court of competent jurisdiction, the remainder of this Ordinance shall not be affected thereby.