

ORDINANCE NO. 21-94
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Sally Beals ON THE 21st
DAY OF November, 1994.

AN ORDINANCE TO AMEND THE CENTERVILLE
MUNICIPAL CODE BY DELETIONS AND ADDITIONS
TO CHAPTER 474, BICYCLES AND MOTORCYCLES.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION I. That Section 474, Bicycles and Motorcycles
in the Centerville Municipal Code is hereby amended as follows,
with the bracketed portions deleted and the underlined portions
added:

474.01 CODE APPLICATION TO BICYCLES.

(a) The provisions of this Traffic Code which are
applicable to bicycles apply whenever a bicycle is operated upon
any street or upon any path set aside for the exclusive use of
bicycles. (ORC 4511.52)

(b) [Every person operating a bicycle shall obey the
instructions of official traffic control devices and signals
applicable to vehicles, unless otherwise directed by a police
officer.] Section 474.02 through 474.08 do not apply to a police
officer operating a bicycle in the official performance of police
duties in response to an emergency. This does not relieve the
officer from the duty to operate the bicycle with due regard for
the safety of all persons and property.

474.06 RIDING BICYCLES UPON SIDEWALKS.

[A person operating a bicycle shall ride upon the sidewalk
rather than the roadway when sidewalks are available, except that
no person shall ride a bicycle upon a sidewalk upon or along
which signs have been erected by authority of Council or other
duly designated local authority prohibiting such bicycle riding,
or within a business district. At no time shall a person under
the age of eleven years operate a bicycle on a street.]

(a) Any person may ride a bicycle on a sidewalk or sidewalk
area.

(b) Whenever a 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 attempting to overtake and pass a pedestrian or another bicycle. This audible signal must be given by bell or other warning device capable of giving an audible signal and shall be given at such a distance and in such a manner as not to startle the person being overtaken and passed.

(c) Whenever a person is riding upon a sidewalk, the person, before overtaking and passing a blind person carrying a white or metallic cane, shall dismount and overtake and pass on foot.

474.07 SAFE RIDING REGULATIONS FOR BICYCLES.

[(a) Whenever a designated usable path for bicycles has been provided adjacent to a street, bicycle riders shall use such path and shall not use the street.]

[(b)] (a) Whenever a person is riding a bicycle upon a [sidewalk or] street, such person shall give an audible signal before attempting to overtake and pass a pedestrian or another bicycle. This audible signal must be given only by bell or other warning device capable of giving an audible signal and shall be given at such a distance and in such a manner as not to startle the person being overtaken and passed.

[(c) No person shall ride a bicycle across or through any intersection involving a through street. Such intersections are to be crossed by walking the bicycle across or through the intersection.]

[(d) Whenever a person is riding a bicycle upon a sidewalk, the person, before overtaking and passing a blind person carrying a white or metallic cane, shall dismount and overtake or pass on foot.]

[(e)] (b) When a bicycle is operated on the street, the operator shall give hand signals before turning, changing lanes or stopping. Such signals shall conform with Section 432.14.

[(f)] (c) Every rider of a bicycle shall exercise due care to avoid colliding with any pedestrian or any vehicle [upon any roadway] in lawful use of any sidewalk, or bicycle path, or endangering the life, limb or property of any person while in the lawful use of the streets, sidewalks or any other private or public property.

[(g)] (d) No person shall operate a bicycle at a speed greater than is reasonable and proper under the conditions then existing.

[[h)] (e) The operator of a bicycle emerging from or turning into an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley, driveway or building, yield the right of way to all pedestrians approaching on such sidewalk area. Upon entering the street, such operator shall yield the right of way to all vehicles approaching on such street.

[(i) No person shall engage in trick riding or operate a bicycle without both hands upon the handle grips except when necessary to give the hand signals required herein.]

474.08 PARKING; [LOCKS] SECURING BICYCLES.

(a) [No person shall park a bicycle upon a sidewalk in such a manner as to interfere with pedestrian traffic or damage the property of another.] A person may not secure a bicycle to a fire hydrant or fire call box, or traffic control device.

(b) [No person shall park a bicycle upon a roadway in such a manner as to interfere with vehicular traffic.] A person may not secure a bicycle to a pole, meter, or device located within a bus-loading zone.

(c) [No bicycle shall remain unlocked when parked upon any public way or place.] A person may not secure a bicycle to a pole, meter or device located within 25 feet of any intersection.

(d) A person may not secure a bicycle to a pole, meter or device on public or private property on which notice has been posted forbidding the securing of bicycles.

(e) A person may not secure or park a bicycle in such a manner so as to interfere with, obstruct or impede vehicular traffic or pedestrian movement.

474.09 THROWING OBJECT AT BICYCLIST; OPENING DOOR OF MOTOR VEHICLE

(a) A person may not throw any object at or in the direction of any person riding a bicycle.

(b) A person may not open the door of any motor vehicle with intent to strike, injure, or interfere with any person riding a bicycle.

474.10 [9] PARENT'S RESPONSIBILITY

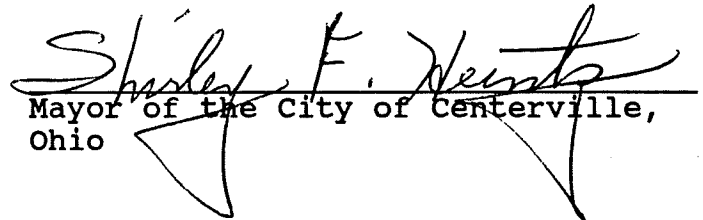
No parent of any child or guardian of any ward shall authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

474.[10 SUSPENSION OF RIDING PRIVILEGES; IMPOUNDING OF BICYCLES.

In addition to the penalties in Sections 408.01 and 408.02, a court may prohibit any person who violates or fails to comply with any of the provisions of this chapter relating to bicycles from riding a bicycle for a period not to exceed three months. In addition, any person violating or failing to comply with any of the provisions of this chapter relating to bicycles may be punished by having his or her bicycle impounded for a period not exceeding thirty days.]

SECTION 2. This Ordinance shall become effective at the earliest date allowed by law.

PASSED this 21st day of November, 1994.


Mayor of the City of Centerville,
Ohio

ATTEST:


Clerk of the Council of the
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Ordinance Number 21-94, passed by the Council of the City of Centerville, Ohio, on the 21st day of November, 1994.


Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.
Department of Law
Robert N. Farquhar
Municipal Attorney