

AN ORDINANCE PROVIDING FOR THE LICENSING, REGISTRATION, TAGGING AND INSPECTION OF BICYCLES BY THE OWNERS THEREOF AND PERSONS SELLING OR PURCHASING BICYCLES IN THE BOROUGH OF SPRING CITY, PENNSYLVANIA, REGULATING THE OPERATION AND INSPECTION THEREOF AND PROVIDING PENALTIES FOR THE VIOLATIONS OF THIS ORDINANCE.

BE IT ORDAINED AND ENACTED by the Mayor and Council of the Borough of Spring City and it is hereby ordained and enacted by authority of the same as follows:

SECTION 1. DEFINITIONS. As used in this Ordinance.

BICYCLE - Any device having two tandem wheels, propelled by human power, upon which a person may ride.

STREET - Any public street, avenue, highway, road, thoroughfare, boulevard, alley or any other public place.

CHIEF OF POLICE - The Chief of Police of the Borough of Spring City, or any member of the Police Department of the Borough, designated by him to perform any of the duties or exercise any of the powers herein vested in the Chief of Police.

BOROUGH - The Borough of Spring City.

SECTION 2. REGISTRATION, LICENSING, TAGGING AND INSPECTION

A. It shall be unlawful:

(1) For any person who resides in the Borough to ride or use a bicycle upon any street in the Borough unless the same shall be registered, licensed and tagged as hereinafter provided.

(2) For any person, not a resident of the Borough, to ride or use a bicycle, normally kept within or rented



from any place within the limits of the Borough, unless the same shall be registered, licensed and tagged as hereinafter provided.

B. Every owner, operator, or renter of any bicycle within the Borough shall, within thirty (30) days after the publication of this Ordinance, make application for the registration of said bicycle, at the times published, with the Chief of Police on a form provided for that purpose and shall annually thereafter on or before June 1st each year, at times published by the Chief of Police, make similar application for renewal of such registration.

C. Every purchaser or transferee of a bicycle, whether new or used, after the effective date of this Ordinance shall within fifteen (15) days after acquisition, apply to the Chief of Police for registration of such bicycle.

D. In the event that the owner of a bicycle is a minor, the parent, guardian or persons having the care of such minor shall make such application on behalf of such minor owner.

E. Registrations of bicycles shall be serially numbered and kept on file by the Chief of Police in his office as a public record. Such record shall include the date issued, the name and address of the person to whom issued, a description of such bicycle by name or make, the frame number thereof and such other information as shall be found necessary to carry out the intent of this chapter.

F. The Chief of Police, upon receiving proper registration of a bicycle, shall affix or cause to be affixed to the frame of the bicycle at such place as the Chief of Police may designate, an identification tag or plate, serially numbered to correspond to the bicycle's registration, in such position as to be plainly visible. A registration card shall be issued to the



owner of each properly registered bicycle. Such identification tags and registration cards shall be provided by the Borough, and the Borough Secretary is authorized and empowered to furnish such tags and cards to the Chief of Police in such quantities as may from time to time be necessary. The operator of a bicycle shall display his owner registration card or produce satisfactory proof that the owner has such registration card upon demand of any policy officer.

G. A fee of Fifty (\$.50) Cents shall be charged for the registration and tagging of any bicycle for the whole or any part of each registration period. Upon application and satisfactory evidence of loss of a tag, a new tag shall be issued upon payment of Twenty-five (\$.25) Cents. Upon application and satisfactory evidence of loss of a registration card, a new card shall be issued upon payment of Ten (\$.10) Cents. The Chief of Police shall maintain an accurate record of all such fees and shall promptly pay the same to the Borough Treasurer for the use of the Borough.

H. Within fifteen (15) days after the sale, transfer or dismantling of any registered bicycle, such information shall be reported to the Chief of Police by the person in whose name the bicycle was registered. Such a person may have the registration tag of his former bicycle transferred to another bicycle owned by him without payment of an additional fee, upon proper registration of such bicycle with the Chief of Police.

I. A rental agency shall not rent or offer any bicycle for rent unless the bicycle is properly registered and tagged and unless such bicycle is provided with the equipment required under the terms of this Ordinance.

J. It shall be unlawful for any person willfully or



maliciously to remove, destroy, mutilate or alter the registration tag or frame number of the bicycle or the registration card issued to the owner thereof.

K. The Chief of Police shall inspect each bicycle presented for registration and shall refuse to register any bicycle found to be in an unsafe mechanical condition or lacking the equipment specified as necessary under the terms of this Ordinance. Every bicycle must be reinspected every year at the time of re-registration.

L. The Chief of Police may at any time require delivery of any bicycle for inspecting brakes or other parts, and shall remove registration from any bicycle found mechanically imperfect.

### SECTION 3. EQUIPMENT

A. Every bicycle shall be equipped with brakes in good condition and with a bell, horn or other warning device. If the bicycle is equipped with fenders, both fenders shall be intact. Every bicycle shall be equipped with a chain guard and kick stand or other self standing device satisfactory to the Chief of Police.

B. Every bicycle, when in use at night, shall be equipped with a lamp on the front which shall emit a white light which shall be visible from a distance of at least 500 feet to the front and with a red reflector on the rear of a type which shall be visible from a distance of 50 feet when directly in front of lawful upper beams of headlights 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.

### SECTION 4. OPERATION

It shall be unlawful for any person to operate or use



any bicycle upon a public highway in violation of any of the following regulations:

A. No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions and circumstances then existing and with undue regard to the safety of the operator and others.

B. A bicycle shall be operated only on the roadway, as near to the right-hand side as possible. Bicycles shall not be operated on the sidewalks.

C. The operator of a bicycle shall obey all official traffic signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

D. The operator of a bicycle emerging from an alley, driveway or building shall yield the right-of-way to all pedestrians on the sidewalk and to all vehicles on the roadway.

E. The operator of a bicycle shall not carry any other person upon the handlebar, frame or any part of the bicycle. This provision shall not be construed to prohibit the use of bicycles built to be operated by two (2) or more persons.

F. The operator of a bicycle shall not indulge in any abnormal or trick riding and shall keep at least one (1) hand on the handlebars at all times while in use.

G. Operators of bicycles shall not ride in any manner other than single file.

H. The operator of a bicycle shall not cling or hold on or be fastened to any other moving vehicle, nor tow or draw any coaster, sled, person on roller skates, toy vehicles or other similar<sup>y</sup> vehicle.

I. The operator of a bicycle shall park same upon the roadway at the curb, or upon the sidewalk in a rack to support



the bicycle, or against a building, except windows or glass doors thereof, in such manner as to afford the least obstruction to pedestrian or vehiculat<sup>✓</sup> traffic.

J. No person operating a bicycle shall carry any package, bundle or article which will obstruct his vision or <sup>per</sup>vent said operator from keeping at least one hand upon the handlebars at all times.

#### SECTION 5. PENALTIES

A violation notice shall be sent to the parents or guardian of any minor who shall violate any of the provisions of this Ordinance. On a second violation by a minor, a second violation notice shall be sent to the parents or guardian of the minor, and a conference shall be held with the minor, the parents or guardian of the minor and the Chief of Police. The third violation by a minor or a violation by an adult of any provision of this Ordinance shall be subject, upon conviction, to a penalty of not more than Twenty-five (\$25.00) Dollars, together with costs of prosecution.

#### SECTION 6.

If any section or part of a section, sentence, clause or phrase of this Ordinance shall be construed to be unconstitutional or invalid by a Court of competent jurisdiction, the remaining provisions hereof shall remain in full force and effect.



ORDAINED AND ENACTED this 5<sup>th</sup> day of april

A.D. 1976.

Attest:

Calvin M. Adam  
Secretary

Richard W. Latschaw  
President

EXAMINED AND APPROVED this 5<sup>th</sup> day of april

A.D. 1976.

Lo. Neal Mc Clellan  
Mayor

LAW OFFICES

WEISS, FREEMAN  
& GOLDBERG

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