

ORDINANCE NO. 2018-07

AN ORDINANCE AMENDING SECTIONS 163-1, DEFINITIONS AND 163-2, REGISTRATION, OF CHAPTER 163, BICYCLES OF THE VILLAGE OF ALLOUEZ MUNICIPAL CODE

THE VILLAGE BOARD OF THE VILLAGE OF ALLOUEZ, BROWN COUNTY, WISCONSIN, DOES ORDAIN THAT SECTIONS 163-1 AND 163-2 BE AMENDED TO READ AS FOLLOWS:

SECTION 1.

§ 163-1 **Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

BICYCLE

Every vehicle propelled by feet or hands acting upon pedals or cranks and having wheels any two of which are not less than 14 inches in diameter.

~~PERMANENT LICENSE~~

~~The right to use and operate a specifically designated bicycle on a public street, highway or way, and on public property, which has been issued to the then current owner of such bicycle.~~

~~TAG~~

~~A license plate, sticker, label or thing issued by the Village of Allouez or any other municipality under authority of law, which is required to be attached or affixed to the bicycle as proof of registration of the same with the municipality.~~

§ 163-2 **Registration.**

- A. ~~Required Registration of bicycles within the Village of Allouez is optional. It shall be unlawful for any person to operate a bicycle on any street, highway or public way or public property within the Village of Allouez unless such bicycle is properly registered and has displayed on it a valid and current tag of such registration. Registration tags will be provided by the Village.~~
- B. Applications. Duplicate applications for registration shall be made by the owner on forms provided by the Village. ~~Board or by representatives thereof designated by the Village of Allouez, and~~ Said applications shall contain the name, age, ~~and~~ address of the owner, and/or parent name, ~~and~~ a description of the bicycle, including the serial number thereof, and if said bicycle has no serial number, the Village ~~Board or its representatives designated~~ shall assign one to it. The application shall contain such other information as the Village ~~Board~~ shall deem pertinent.
- C. Fees; records. ~~Registration is free. Upon such application, the Village shall issue to the applicant a registration tag for said bicycle. The Village shall keep a record of the date of issuance of such registration tag, to whom issued and the number thereof.—Fees; records. A resident of the Village who has not previously been issued a permanent license for his or her bicycle, and a nonresident of the Village who does not have both a current registration of his or her bicycle and have displayed on it a current registration tag, shall be issued a registration tag upon the payment of the fee required by Chapter 225, Fees and Charges. A resident of the Village who acquires ownership of a bicycle for which the immediately preceding owner has obtained a permanent license shall be issued a new permanent license upon the payment of the transfer fee required by Chapter 225.~~

- D. Tags. No bicycle shall be considered registered until a registration tag shall be affixed to the frame of such bicycle, which shall remain so affixed until re-registration, or until removed by the Municipal Judge for just cause.
- E. Transfer of ownership. It shall be the duty of every person who transfers the title of any bicycle to endorse upon the back of the registration card on the form there provided the name and address of the buyer, the date of the transfer and the name of the seller. It shall be the duty of the new owner **of such bicycle to apply for transfer of registration thereof** ~~of such bicycle to apply for transfer of registration thereof~~ within seven days of such transfer. ~~A fee shall be paid for the registration of such transfer as outlined in Chapter 225. The fee shall be paid by the transferee making such application.~~ There is no fee for transferring a registration.

SECTION 2. All ordinances or parts of ordinances, in conflict herewith are hereby repealed.

SECTION 3. This ordinance shall take effect upon its adoption and publication.

Approved and adopted this 5th day of June, 2018.

James F. Rafter, Village President

ATTEST:

Debra M. Baenen, Village Clerk-Treasurer

Chapter 163

Bicycles

§ 163-1 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

BICYCLE

Every vehicle propelled by feet or hands acting upon pedals or cranks and having wheels any two of which are not less than 14 inches in diameter.

PERMANENT LICENSE

The right to use and operate a specifically designated bicycle on a public street, highway or way, and on public property, which has been issued to the then current owner of such bicycle.

TAG

A license plate, sticker, label or thing issued by the Village of Allouez or any other municipality under authority of law, which is required to be attached or affixed to the bicycle as proof of registration of the same with the municipality.

§ 163-2 Registration.

- A. Required. It shall be unlawful for any person to operate a bicycle on any street, highway or public way or public property within the Village of Allouez unless such bicycle is properly registered and has displayed on it a valid and current tag of such registration.
- B. Applications. Duplicate applications for registration shall be made by the owner on forms provided by the Village Board or by representatives thereof designated by the Village of Allouez, and said applications shall contain the name, age, and address of the owner, and/or parent name, and a description of the bicycle, including the serial number thereof, and if said bicycle has no serial number, the Village Board or its representatives designated shall assign one to it. The application shall contain such other information as the Village Board shall deem pertinent.
- C. Fees; records. A resident of the Village who has not previously been issued a permanent license for his or her bicycle, and a nonresident of the Village who does not have both a current registration of his or her bicycle and have displayed on it a current registration tag, shall be issued a registration tag upon the payment of the fee required by Chapter 225, Fees and Charges. A resident of the Village who acquires ownership of a bicycle for which the immediately preceding owner has obtained a permanent license shall be issued a new permanent license upon the payment of the transfer fee required by Chapter 225.
- D. Tags. No bicycle shall be considered registered until a registration tag shall be affixed to the frame of such bicycle, which shall remain so affixed until re-registration, or until removed by the Municipal Judge for just cause.
- E. Transfer of ownership. It shall be the duty of every person who transfers the title of any bicycle to endorse upon the back of the registration card on the form there provided the name and address of the buyer, the date of the transfer and the name of the seller. It shall be the duty of the new owner of such bicycle to apply for transfer of registration thereof within seven days of such transfer. A fee shall be paid for the registration of such transfer as outlined in Chapter 225. The fee shall be paid by the transferee making such application.

§ 163-3 Bicycle operation.

- A. Lights. Every bicycle operated between sunset and sunrise shall be equipped with a lamp firmly attached to the front of such bicycle, exhibiting a white light to the front, visible at a distance of at least 500 feet, and with a red reflector at least two inches in diameter on the rear of such bicycle, visible at a distance of at least 500 feet. A lamp emitting a red light visible at such distance may also be used.
- B. Brakes. Every bicycle shall be equipped with adequate brakes as required by law.
- C. Hitching rides. Any person riding upon a bicycle shall not cling or attach himself or his bicycle to any moving vehicle.
- D. Carrying passengers. No bicycle shall be used to carry more persons at one time than the number for which it is designed or equipped.
- E. Inspection. Checks of bicycles may be made by duly authorized Village of Allouez or Brown County officers for the purpose of handling, control, safe operation and mechanical condition.
- F. Endangering safety. No rider of a bicycle shall ride a bicycle in a reckless or hazardous manner, or in any manner which could be deemed to cause unnecessary risk of injury to the rider or pedestrians.
- G. Riding on right side. The rider of a bicycle shall ride as near as practicable to the right-hand curb or edge of the roadway except when passing another vehicle or in making a left-hand turn, and when riding in groups shall ride in single file. On a one-way roadway the rider may ride as near as practicable to either the right- or left-hand curb or edge of the roadway.
- H. Parking. No bicycle shall be parked upon any sidewalk area or upon any roadway in such a manner as to interfere with free passage of the public.
- I. Traffic signs. A rider of a bicycle shall stop for official stop signs and automatic traffic signals.
- J. On sidewalks. Except for the sidewalks adjacent to Webster Avenue, the use of any sidewalk within the Village limits for the riding or propelling of any bicycle is prohibited, except that bicycles may be propelled upon the sidewalks on unpaved streets. Any person operating a bicycle upon a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction.
- K. Unsafe bicycles. Bicycles which are not mechanically safe shall not be operated on the streets or highways of the Village of Allouez, and license suspension shall be made automatically.
- L. Parents' responsibility. The parent of any child and the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this section.
- M. Carrying articles. No rider of a bicycle shall carry any package, bundle, or article which prevents the rider from keeping at least one hand upon the handlebars.
- N. State rules. The rider of a bicycle shall obey all provisions of the Wisconsin Statutes relating thereto.
- O. Headphones. No bicycle operator may wear headphones or earphones covering both ears while operating a bicycle.

§ 163-4 Violations and penalties.

Any person who shall violate any provision of this chapter shall be punished according to the discretion of the Municipal Judge by any or all of the following methods:

- A. By suspension of the registration tag of the violator's bicycle, for first offense, 30 days, second

offense, 60 days, and third offense, 90 days.

- B. By impounding the violator's bicycle for a period not exceeding 90 days.
- C. For flagrant or habitual violations, by a forfeiture of not less than \$10 nor more than \$500, and in default of payment thereof by imprisonment for a period not exceeding 90 days.
- D. Repeat violators may be required to attend safety lectures at prescribed locations. These lectures shall be handled by an officer of the Brown County Sheriff's Department designated for this purpose.

