

## Chapter 79

### BICYCLES AND PLAY VEHICLES

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[HISTORY: Adopted by the Village Board of the Village of Albany 5-11-1992 as Title 10, Ch. 2 of the 1992 Code. Amendments noted where applicable.]

#### GENERAL REFERENCES

Vehicles and traffic -- See Ch. 260.

Bicycle paths and trails -- See Ch. 272, §272-35.

#### §79-1. Definitions.

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

**BICYCLE** -- Every device propelled by the feet acting upon pedals and having wheels, any two of which are not less than 14 inches in diameter.

**BICYCLE LANE** -- That portion of a roadway set aside for exclusive use of bicycles and so designated by appropriate signs and markings by the responsible governing body.

**BICYCLE WAY** -- Any path or sidewalk, or portion thereof, designated for the use of bicycles by the responsible governing body.

**BIKE ROUTE** -- Any bicycle lane, bicycle way or highway which has been duly designated by the responsible governing body and identified by appropriate signs and markings.

**CARRIER** -- Any device attached to a bicycle designed for carrying articles.

**IDENTIFICATION TAG** -- A metal plate or sticker indicating that a bicycle is registered.

**RIGHT-OF-WAY** -- The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

## **§79-2. Manner of operation restricted.**

No bicycle shall be allowed to proceed in any street in the village by inertia or momentum with the feet of the rider removed from the bicycle pedals. No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding in any street in the village, nor shall any bicycle rider carry or ride any other person so that two persons are on the bicycle at one time, unless a seat is provided for a second person.

## **§79-3. Lighting and other equipment.**

A. Lighting equipment. No person shall operate a bicycle upon a highway unless equipped as required in W.S.A. s. 347.489.<sup>1</sup>

B. Braking equipment. No person may operate a bicycle upon a highway unless it is equipped with a brake in good condition, adequate to control the movement of and to stop the bicycle whenever necessary and with a bell or other device capable of giving a signal audible for a distance of at least 100 feet, but a bicycle may not be equipped with nor may a person use upon a bicycle any siren or compression whistle.

## **§79-4. Parking a bicycle.**

No person shall leave a bicycle at such a place or in such a way as to create a hazard to pedestrians, automobile operators or to anyone else. Bicycles shall be parked either upon the roadway against the curb, in bicycle racks or, if on the sidewalk, in such a manner as to afford the least obstruction to pedestrian traffic, and not in such a manner as to obstruct the ingress and egress to buildings used by the public. If there is no bicycle rack or other facility intended to be used for the parking of bicycles in the vicinity, the operator may park a bicycle on the sidewalk in an upright position parallel to and within 24 inches of the curb.

## **§79-5. Rules of the road.**

The provisions of W.S.A. chs. 346 and 347 and applicable village ordinances shall govern the operation of bicycles where appropriate.

## **§79-6. Bicycle regulations.**

A. Area of operation. Unless preparing to make a left turn, every person operating a bicycle upon a roadway carrying two-way traffic shall ride as near as practicable to the right edge of the unobstructed traveled roadway, including operators who are riding two abreast where permitted under Subsection B. On one-way roadways, the operator of the bicycle shall ride as near as practicable to the right edge or left edge of the unobstructed traveled roadway, including operators who are riding two abreast where permitted under Subsection B. Every person operating a bicycle upon a roadway shall exercise due care when passing a standing vehicle or one proceeding in the same direction, allowing a minimum of three feet between the bicycle and the vehicle.

B. Single-file operation. Persons riding bicycles upon a roadway shall ride single-file on all roadways which have center lines or lane lines indicated by painting or other markings. On

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<sup>1</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

roadways not divided by painted or other marked center lines or lane lines, bicycle operators may ride two abreast.

C. Rules for turning.

(1) The operator of a bicycle intending to turn to the right at an intersection shall approach the point of turning in the traffic lane nearest the right-hand edge or curb of the street and, in turning, shall keep as closely as practicable to the right-hand edge or curb of the highway.

(2) The operator of a bicycle intending to turn to the left of an intersection or into a private driveway shall make such turn from the traffic lane immediately to the right or next to the center of the street and pass immediately to the left of the center of the intersection, passing as closely as practicable to the left of the center of the intersection immediately to the right of the center of the intersection of the street.

(3) At any intersection where traffic is controlled by a traffic control signal or traffic officer, it shall be unlawful for any such operator of such bicycle upon any street to disobey the instructions of any official traffic sign or signal placed in accordance with the laws of the State of Wisconsin and the ordinances of the village.

(4) Crosswalks shall be used when walking a bicycle through an intersection.

D. Trick riding. No person shall operate a bicycle upon the streets of said village without having manual control of the handlebars or operate a bicycle in any other manner which necessitates the element of unusual extraordinary skill and involves unnecessary risk.

E. Tandem riding. No person shall ride or propel a bicycle on a street in said village with another person upon said bicycle unless such bicycle is so constructed as to be a tandem bicycle.

F. Emerging from alley or driveway. The operator of a bicycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alleyway, yield the right-of-way to all pedestrians and, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on said highway.

G. Bicycles not to be pulled by moving vehicles. No person riding upon a bicycle shall cling or attach himself or his bicycle to any other moving vehicle upon a street or highway, nor shall the operator of any such bicycle tow or draw any coaster wagon, sled, person on roller skates, toy vehicles or any other similar vehicle on such highway.

H. Speed. No person shall operate a bicycle at a speed greater than is reasonable and prudent under existing conditions or in excess of any posted speed limit.

I. Operation on sidewalks. No person shall ride a bicycle on sidewalks on that part of the business district of the village which includes Water Street south of Milwaukee Street and north of Main Street and Main Street east of Water Street and west of Mechanic Street. Every person riding a bicycle on a sidewalk in any other place in the village shall yield the right-of-way to any pedestrian lawfully using such sidewalk.

J. Parking bicycles. No bicycle shall be parked upon any street or public way except in an upright position in bicycle stalls which are provided therefor. Until such time as sufficient stalls are provided to meet the demand therefor, which determination shall be made by the Police

Department, bicycles may be parked in an upright position, parallel to the curblines, in any metered parking stall upon payment of the required coin.

K. Bicycle paths. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

#### **§79-7. Bicycle operation while hearing impaired.**

No person may operate a bicycle upon a highway while such operator is using any audio device attached directly to the ear or ears of such operator that materially impairs the ability of such operator to hear traffic signals or warnings.

#### **§79-8. Skateboards and play vehicles. [Amended 5-8-1995 by Ord. No. 03-95.]**

A. Play vehicles not to be used on highways.

(1) No person riding upon any coaster, roller skates, sled, toboggan, skateboard, roller skis, inline skates or similar play vehicle shall attach the same or themselves to any vehicle or go upon any state or county highway except while crossing the roadway at a crosswalk or in the absence of a sidewalk.

(2) The use of play vehicles on sidewalks is permitted, provided that the right-of-way is yielded to pedestrians using the sidewalks and provided that the use of such vehicle does not endanger or interfere with pedestrian traffic.

B. Skateboard sidewalk use. No person shall operate a skateboard on the sidewalk in a business district. A business district for the purpose of this section is the area as defined in §79-6I containing primarily commercially zoned uses which generate heavy pedestrian traffic during the business hours. Said business district shall have a minimum street frontage of 100 feet.

C. Play vehicles not to be used on private property. No person shall operate any of the items mentioned in Subsection A on private property, except with permission of the owner or person responsible for the property.

#### **§79-9. Registration of bicycles; fee; identification tag.**

A. Registration of bicycles. No village resident shall operate a bicycle upon any street within the Village of Albany unless such bicycle shall have been properly registered as hereinafter provided.

B. Registration forms. Every village resident owning or operating any bicycle within the Village of Albany shall, within 10 days of the acquisition of such bicycle, file with the Village Police Department, or the agent designated by the Village Board, a complete description of such bicycle upon a form to be provided for this purpose. Such filing shall constitute a registration of such bicycle for the purposes of this chapter. Such registration shall be serially numbered and be kept on file by the Village Police Department in its office as a public record.

C. Identification tag. Immediately upon registration of a bicycle by the Police Department, the Department shall issue to the owner of such bicycle an identification tag serially numbered to correspond with the registration of such bicycle. Such tag shall be affixed to the side

of such bicycle's downpost so that it is visible from the side and shall be kept reasonably clean at all times. It shall thereafter remain affixed to such bicycle unless the owner transfers such bicycle to another person. A fee of \$2 shall be charged for the registration of any such bicycle under the provisions of this section. No person shall willfully remove, deface or destroy any such identification tag.<sup>2</sup>

D. Term of registration. The registration of a bicycle shall continue for an indefinite term unless the owner of the bicycle transfers the bicycle's ownership to another person. Upon transfer, the provisions of Subsection B shall apply to the transferee.

E. Bicycles to be in safe mechanical condition. The owner of each registered bicycle shall maintain such bicycle in a reasonably safe mechanical condition.

### **§79-10. Violations and penalties.**

A. Any person 16 years of age or older who shall violate any provision of this chapter may be issued a Uniform Municipal Ordinance Citation and be subject to the penalties provided by the Uniform State Traffic Deposit Schedule.

B. Any person 14 years of age through 15 years of age who shall violate any provisions of this chapter may be issued a citation and be subject to the penalties provided by the Deposit Schedule and, upon conviction thereof, may be required to forfeit not more than \$25, together with the cost of the prosecution, and, in default of such payment, the court may suspend the child's operating privileges, as defined in W.S.A. s. 340.01, for not less than 30 days nor more than 90 days.

C. Any person under 14 years of age who shall violate any provision of this chapter may be issued a special Bicycle Violation Warning Notice, along with the following additional actions:

(1) First offense in one year: a warning letter sent to the parent or guardian requiring their signature and return of warning notice to the Police Department.

(2) Second offense in the same year: a warning letter mailed to parent or guardian.

(3) Third offense in the same year: a mandatory parent-child-police conference.

(4) Fourth and subsequent offense in the same year: referral to Green County Juvenile Court.

D. Any parent or guardian of any child who authorizes or knowingly permits such child to violate any of the provisions of this chapter may be subject to the provisions of W.S.A. ss. 346.77 and 346.82(1).

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<sup>2</sup> Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).