

CITY OF MARSHALL

ORDINANCE NO. 2023-O- 22

AN ORDINANCE AMENDING CHAPTER 82. TRAFFIC AND VEHICLES.  
ARTICLE IV. BICYCLES. DIVISION 1. GENERALLY. SECTION 82-156. DEFINITIONS.  
SECTION 82-157. METHOD OF RIDING; PARKING; REQUIRED EQUIPMENT. SECTION  
82-158- VIOLATION; PENALTY.

ADOPTED BY THE  
CITY COUNCIL  
OF THE  
CITY OF MARSHALL

Published in pamphlet form by authority of the City of Marshall, Clark County, Illinois, this  
27 day of March, 2023.

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82-158- VIOLATION; PENALTY.

BE IT ORDAINED by the City Council of the City of Marshall, Illinois:

Section 1. That Chapter 82. Traffic and Vehicles. Article IV. Bicycles. Division 1. Section 82.156. Definitions. Section 82-157. Method of Riding; Parking; Required Equipment. Section 82-158. Violation; Penalty of the Code of Ordinances, City of Marshall, Illinois is hereby amended to read as follows, with strikeouts indicating deletions in text and underscores indicating additions to text:

Sec. 82-156. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Bicycle* means every device propelled by human power upon which any person may ride, having two tandem wheels, except scooters and similar devices.

*Tricycle* is described as a human powered vehicle with 3 wheels.

Alternative Transportation includes eBikes and Gas-Powered Bicycles as listed below.

eBike is described with a motor of less than 750w and is in one of the following classifications:

- a. Class 1- eBikes equipped with a pedal-assist only motor which stops when the bike reaches 20 mph.
- b. Class 2- Electric bikes equipped with a motor that may be used exclusively to propel the bicycle and stop when the bike reaches the speed of 20 mph.
- c. Class 3- Electric bicycles equipped with a motor that provides assistance only when the rider is pedaling and stops when the rider stops pedaling or when the bicycle reaches the speed of 28 mph.

eBikes may only be operated by individuals 16 years of age or older. Passengers may be younger than 16 years of age. (625 ILCS 5/11-1517)

Gas Powered Bicycle is described as the following:

- a. Having a gasoline motor of less than 1 horsepower.
- b. Must be operated by an individual at least 16 years of age.
- c. May not be ridden on a sidewalk.
- d. May not be ridden at a speed greater than 20 mph.
- e. Except as otherwise provided in this section, the provisions of Statute statutes apply to low-speed gas bicycles that apply to bicycles in general. (625 ILCS 5/11-1516)

(Code 1976, § 11-112)

Sec. 82-157. Method of riding; parking; required equipment.

- (a) Any person operating a bicycle and alternative transportation shall obey all official traffic control signal, signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.
- (b) Every person operating a bicycle or tricycle upon the roadway of a public highway shall not ride two abreast, except on paths or parts of roadways set aside for the exclusive use of bicycles.
- (c) Whenever a usable path for bicycles and tricycles has been provided adjacent to a roadway, riders shall use such path and not use the roadway.
- (d) No person shall operate a bicycle or tricycle at a speed greater than is reasonable and prudent under the conditions then existing. Alternative Transportation must follow the speed limits listed in 82-156.
- (e) ~~No~~ All persons shall park a bicycle upon a public street other than upon the roadway against the curb or upon the sidewalk in a rack to support the bicycle or against a building or at the curb, and in such a manner as to afford the least obstruction to pedestrian traffic.
- (f) Every bicycle, tricycle and alternative transportation on a public highway shall be equipped and maintained in compliance with 625 ILCS 5/11-1507.

(Code 1976, § 11-113)

Sec. 82-158. Violation; penalty.

Every person convicted of a violation of any provision of this article may be fined according to the provisions of section 1-5 of this Code, ~~by removal and detention of the registration tag from the bicycle for a period not to exceed 90 days, by impounding the bicycle, tricycle, or alternative transportation for a period of not to exceed 90 days, or by any combination hereof.~~

(Code 1976, § 11-116; Ord. No. 97-26, § 4, 11-10-97)

Section 2. If any provision of this Ordinance, or application thereof, is held invalid by any Court, other provisions or applications of this Ordinance which can be given effect without the invalid provision or application shall not be affected, and to this end the provisions of this Ordinance are declared to be severable.

Section 3. That this Ordinance shall be published in pamphlet form and shall take effect ten (10) days after its passage, approval and publication in pamphlet form as provided by law.

	<u>AYES</u>	<u>NAYS</u>	<u>ABSENT</u>
Michael Smitley			✓
Warren J. Le Fever	✓		
Vickie Wallace	✓		
Jarod Green	✓		
Josh Sanders	✓		
Robert Nelson	✓		
Foster Propst	✓		
Rob Knott			✓

PASSED this 27 day of March, 2023.

APPROVED this 27 day of March, 2023.

  
MAYOR

ATTESTED, filed in my office,  
and published in pamphlet form  
this 27 day of March, 2023.



CITY CLERK

(SEAL)