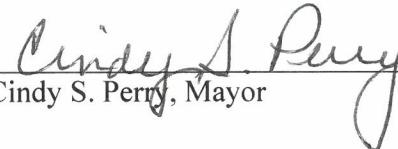


AN ORDINANCE AMENDING CHAPTER 16
OF THE TOWN OF PITTSBORO
CODE OF ORDINANCES
COA-2023-01

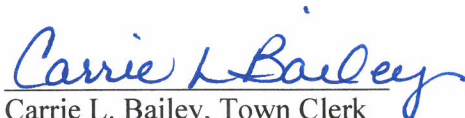
BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF
PITTSBORO that Chapter 16 of the Town Code of Ordinances entitled “Motor Vehicles and
Traffic” be amended by adding Article VI attached hereto as Exhibit A.

Adopted this 13th day of February 2023.

TOWN OF PITTSBORO


Cindy S. Perry, Mayor

ATTEST:


Carrie L. Bailey, Town Clerk



PITTSBORO POLICE DEPARTMENT

Chief Clarence H. Johnson, Jr.

635 East Street P.O. Box 759 Pittsboro, NC 27312

office: 919-542-3200 ext. 1150

fax: 919-542-3786

MEMO TO: Mayor Perry and Board of Commissioners
FROM: Chief of Police C. H. "Shorty" Johnson, Jr.
SUBJECT: Amendment to Code of Ordinance Chapter 16 – Motor Vehicles and Traffic
DATE: February 13, 2023
Purpose: To amend the Town's Code of Ordinances adding language to address Bicycles and Bikeways

Background:

1. This amendment was developed with the Pittsboro, NC Bicycle & Pedestrian Plan in mind. The amendment contains procedures and standards for the protection of bicyclists, motorists and pedestrians on the streets and bikeways of the town.
2. As the Town grows, more neighborhoods may add bike lanes along their streets as an alternative mode of travel or for the residents' enjoyment. The Police Department has observed and has received complaints about vehicles being parked in existing bike lanes in one neighborhood.
3. There is not a specific North Carolina General Statute or Town of Pittsboro Ordinance prohibiting vehicles from parking in the bike lanes. This amendment will prohibit vehicles from parking in bike lanes leaving them clear for bicyclists to have a designated and safe place to ride.

Attachments:

1. Exhibit A: Article VI. Bicycles and Bikeways

Recommendation:

1. Approve the amendment to the Town of Pittsboro's Code of Ordinances Chapter 16 Motor Vehicles and Traffic

EXHIBIT A

Article VI. Bicycles and Bikeways

16 – 600 **Purpose of Bicycle and Bikeways Provisions**

The purpose of this article is to adopt procedures and standards for the protection of bicyclists, motorists, and pedestrians on the streets and bikeways of the town.

16 – 601 **Definitions**

As used in this article, except where the context clearly requires otherwise, the words and expressions defined in this section shall be held to have the meaning here given to them.

Bicycle A nonmotorized vehicle with two or three wheels, one or more seats, and pedals or similar devices by which the vehicle is propelled.

Bikeways All thoroughfares that explicitly provide for bicycle travel including facilities existing within street and highway rights-of-way and facilities along separate and independent corridors.

Bicycle lane Those bikeways on existing street rights-of-way where a portion of the roadway is set aside for exclusive bicycle use and designated by signs placed on vertical posts or stenciled on the pavement. Through-travel by motor vehicles or pedestrians is prohibited. Cross-flows by motor vehicles and pedestrians when necessary to gain access to and from a public street, alley, private driveway or other entranceway are permitted.

Bicycle path Those appropriately marked bikeways on existing street rights-of-way or on separate rights-of-way or easements or upon and across parks, schools or other publicly owned lands where a path is designated for the exclusive or semi-exclusive use of bicycles. Use by pedestrians may or may not be permitted. The parking of motor vehicles is prohibited. Cross-flows by motor vehicles and pedestrians when necessary to gain access to and from a public street, alley, private driveway, or other entrance way are permitted.

Bicycle route	Those bikeways on existing street rights-of-way where bicycles share the roadway with motor vehicles. Recommended “bicycle routes” may be designated by signs placed on vertical posts or stenciled on the pavement.
Crosswalk	The portion of any street or roadway ordinarily included within the prolongation or connection of the lateral lines of sidewalks at intersections, or any portion of a roadway or street distinctly indicated for pedestrian crossing by lines or other markings on the surface of the street or roadway.
Greenway	A corridor of urban, suburban, or rural space with contiguous, free and open public-access trails connecting neighborhoods, recreational facilities (e.g., parks) and businesses which allows and encourages the use of nonmotorized transportation, particularly bicycle and pedestrian, for commuting, travel, and recreation. A greenway emphasizes naturally occurring and planned vegetation, scenic beauty, and environmental protection, as well as preservation of natural, cultural and historical heritage.
Motor vehicles	Every self-propelled device in, upon or by which any person or property is or may be transported or drawn upon a highway.
Pedestrian easement or multi-use easement	An easement alongside or near lot lines for the purpose of pedestrian or bicycle traffic.
Street and highway	The entire width between property lines of every way or place of whatever nature when any part thereof is open to the use of the public as a matter of right for the purpose of vehicular traffic. This definition shall not be interpreted to limit or prohibit the use of a street or highway by non-vehicular traffic or by all types of users, including pedestrians, bicyclists, and drivers of motor vehicles.

Traffic Regulations for Bicycles

All bicycles used and operated upon and across designated bikeways within the town’s jurisdiction shall be considered vehicles and the riders of such bicycles shall be subject to all provisions of this Code and G.S. Chapter 20 of the North Carolina General Statutes applicable to the drivers of vehicles except those which by their nature can have no application.

16 – 603 **Yield to Pedestrians**

On and across bikeways through which pedestrian traffic is permitted, riders on bicycles shall at all times yield the right-of-way to pedestrians.

16 – 604 **Blocking Bicycle Lanes and Paths Prohibited**

It shall be unlawful for any person to drive, stop or stand any motor vehicle in any bike lane and path designated as such except when necessary to gain access to and from a public street, alley, private driveway or other entrance way and except that a driver may stop temporarily during the actual loading and unloading of passengers or materials if otherwise permitted in this chapter or if necessary to obey traffic regulations or signs or signals of a police officer.

16 – 605 **Bicycle Riding on Sidewalks and Walkways Prohibited**

1. No person shall ride any bicycle upon any sidewalk or walkway; provided that tricycles or bicycles having wheels no more than 16 inches in diameter per wheel may be ridden on sidewalks or walkways in the residential districts of the town.
2. This section shall not apply to certified law enforcement officers who, in the course of their duties, shall be required to ride bicycles to patrol on the sidewalks and walkways of the town.

16 – 606 **Clinging to Vehicles**

No person riding upon any bicycle, coaster, roller skates, sled, skateboard or toy vehicle shall attach same or himself or herself to any motor vehicle or bicycle upon a public street or bikeway.

16 – 607 **Lamps and Reflectors on Bicycles**

In accordance with North Carolina G.S. 20-129, every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a light visible from a distance of at least 300 feet to the front and with a reflector or light on the rear of a type approved by the Department of Motor Vehicles which shall be visible from a distance of at least 200 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle.

16 – 608 **Bicycle Helmets**

1. All persons under the age of 16 who operate a bicycle on a public street, or right-of-way, or on any property owned and operated by the town shall wear a helmet which is securely fastened under the chin and which meets either of the following:
 - A. Standards established by the American National Standards Institute (ANSI); or

B. Standards established by the Snell Memorial Foundation's 1984 standards for protective headgear.

2. No person shall operate a bicycle on a public street, or right-of-way, or on any property owned and operated by the town which is equipped to hold two or more persons unless all passengers under the age of 16 wear a helmet which is securely fastened under the chin and which meets the specifications outlined in subsection (1) above.
3. The first violation of this section shall be dismissed upon the submission by the offender of proof of purchase of protective gear meeting the standards described herein. Any subsequent violation shall subject the offender to a civil penalty not to exceed \$50. If the offender is under the age of 16, the parent, guardian or custodian of the offender shall be responsible for payment of the civil penalty.

Article VII. Penalty

16-700 Except as herein provided, violation of any provision of this Chapter shall be an infraction as provided by G.S. 14-4 and punishable by a penalty of not more than \$50.00.

(G.S. § 14-4(b))

Statutory reference:

For provisions concerning enforcement of ordinances, see G.S. § 160A-175