

ORDINANCE NO. 2018-12

**AN ORDINANCE AMENDING CHAPTERS 8 AND 14 THEREBY UPDATING
CHAPTER 8 BY ADDING BICYCLE REGULATIONS MOVED FROM CHAPTER 14
AND DELETING BICYCLE REGISTRATION FROM CHAPTER 14**

The City Council of the City of Bloomington hereby ordains:

Section 1. That Chapter 8 of the City Code is hereby amended by deleting those words that are in ~~strike~~through font contained in brackets [] and adding those words that are underlined, to read as follows:

CHAPTER 8: TRAFFIC, VEHICLES AND PARKING

* * *

ARTICLE II: TRAFFIC CODE

* * *

§ 8.13 BICYCLE AND PEDESTRIAN REGULATIONS.

(a) *Prohibited activity on pedestrian pathways and bikeways.* No person may operate a bicycle on any pathway posted or otherwise designated for pedestrians only; and no person may walk, jog or run on any bikeway posted or otherwise designated for bicycles only.

(b) *Bicycles on sidewalks.* Pursuant to M.S. Chapter 169, as it may be amended from time to time, and unless otherwise posted, persons may ride a bicycle upon a sidewalk in the city, but must yield right-of-way to any pedestrian on the sidewalk. ***YIELDING THE RIGHT-OF-WAY*** shall mean leaving the sidewalk if necessary.

(c) *Bicycles on streets.* Pursuant to M.S. Chapter 169, as it may be amended from time to time, every person operating a bicycle within the city must adhere to the traffic regulations applicable to bicycles.

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Section 2. That Chapter 14 of the City Code is hereby amended by deleting those words that are in ~~strike~~through font contained in brackets [] and adding those words that are underlined, to read as follows:

CHAPTER 14: LICENSES AND PERMITS

* * *

ARTICLE II: PUBLIC ENTERTAINMENT LICENSES AND REGULATIONS

* * *

DIVISION B: [BICYCLES]RESERVED.

* * *

~~§§ 14.27— 14.35~~ [PURPOSE.]RESERVED.

~~[The City Council enacts the following Division B to require state registration of all bicycles operated within the city. The City Council finds that such a requirement will assist in the recovery of lost or stolen bicycles and will decrease the number of bicycle thefts within the city.]~~

~~§ 14.28 STATE REGISTRATION REQUIRED.~~

~~All bicycles used or ridden upon any highway, street, alley, sidewalk or other public property within the boundaries of the city shall be registered.~~

~~§ 14.29 REPORT OF STOLEN BICYCLES.~~

~~The Police Department shall report the theft of all bicycles to the Department of Public Safety within five days of the report.~~

~~§ 14.29.01 - 14.29.05 RESERVED.~~

§ 14.30 RECOVERY OF STOLEN BICYCLES.

The Police Department shall report that a stolen bicycle has been recovered by the Police Department to the Department of Public Safety within five days of such recovery.

§ 14.31 TRAFFIC REGULATIONS.]

[Every person operating a bicycle within the city shall adhere to the traffic regulations applicable to bicycles in M.S. Chapter 169, as it may be amended from time to time, and in § 8.13 of this code.

§ 14.32 IMPOUNDMENT OF UNREGISTERED BICYCLES.

Any bicycle operated or found on any public place within the city which is not licensed as required by this Division B shall be impounded by the Police Department and held by the Police Department until the license required herein is obtained and, in addition, an impoundment fee of \$7.50 is paid to the Police Department of the city. In the event that a license for said bicycle is not secured and the bicycle is not claimed within three months from the date of such impounding by the Police Department, the bicycle shall be disposed of by the city in accordance with this Division B.

§ 14.33 DISPOSAL OF UNCLAIMED BICYCLES.

(a) Whenever any bicycle has been in the lawful possession of the city for three months or more and the bicycle remains unclaimed by the owner thereof, the city may sell the bicycle at a public auction or sale. Published notice shall be made in the official newspaper at least ten days in advance of the sale. The bicycle shall be sold to the highest bidder as determined by the Chief of Police operating in the capacity as seller.

(b) The proceeds received from said sale, after deducting the costs of the sale, shall be placed in the City Police Relief Association Pension Fund.

(c) In the event that the owner of any bicycle sold pursuant to this Division B makes application with the City Police Department within six months from the date of sale, said owner on proof of ownership shall be reimbursed the net proceeds from said sale. If no application is made within six months, the net proceeds shall become the absolute property of the City Police Relief Association Pension Fund.

§ 14.34 PENALTY.

Violation of this Division B shall be a misdemeanor under state law.

§ 14.35 SEVERABILITY.

—If any section, subsection, sentence, clause or phrase of this Division B is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Division B. The City Council hereby declares that it would have adopted the ordinance in each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.]

Passed and adopted this 4th day of June, 2018.

/s/ Gene Winstead
Mayor

ATTEST:

APPROVED:

/s/ Denise M. Christenson
Secretary to the Council

/s/ Melissa J. Manderschied
City Attorney