

ORDINANCE NO. ____

**AN ORDINANCE OF THE CITY COUNCIL OF
THE CITY OF MERCED, CALIFORNIA,
AMENDING CHAPTER 10.44, "BICYCLES," OF
THE MERCED MUNICIPAL CODE**

THE CITY COUNCIL OF THE CITY OF MERCED DOES ORDAIN AS
FOLLOWS:

SECTION 1. AMENDMENT TO CODE. Chapter 10.44, "Bicycles,"
of the Merced Municipal Code is hereby amended to read as follows:

**"Chapter 10.44
BICYCLES**

Section:

- 10.44.010 Bicycle Defined.**
- 10.44.020 Bicycle Registration.**
- 10.44.030 Registration – Operation Restricted.**
- 10.44.040 Registration – Proof.**
- 10.44.050 Obedience to Traffic Control Devices.**
- 10.44.060 Speed.**
- 10.44.070 Emerging from Alley or Driveway.**
- 10.44.080 Riding on Sidewalks.**
- 10.44.090 Parking.**
- 10.44.100 Violation – Penalty.**
- 10.44.110 Report – Secondhand Dealers.**

10.44.010 Bicycle Defined.

For the purpose of this Chapter, 'bicycle' means any device upon which a person may ride, which is propelled by human power through a system of belts, chains or gears, and which has wheels at least twenty inches in diameter and a frame size of at least fourteen inches.

10.44.020 Bicycle Registration.

No person shall operate or use a bicycle upon any public street or highway in the city without first registering the bicycle on a national bicycle registry.

10.44.030 Registration – Operation restricted.

When registered, bicycle registration shall entitle the owner to operate such bicycle for which the registration has been issued upon all the streets, public highways and designated bicycle trails of the city. Bicycles may also be operated on all the sidewalks of the city except the following, when appropriate signs are displayed thereon: Main Street from G to V Street, 18th Street from Martin Luther King, Jr. Way to N Street, I Street from 16th to 18th Street, Martin Luther King, Jr. Way from 16th to 18th Street, K Street from 16th to 18th Street, L Street from 16th to 18th Street, M Street from 16th to 20th Street and N Street from 16th to 18th Street.

10.44.040 Registration – Proof.

The registration issued pursuant to this Chapter shall be accessible upon request by law enforcement via printout or mobile device while the bicycle is in operation.

10.44.050 Obedience to Traffic Control Devices.

The operator of any bicycle shall obey the instructions of any official traffic control device placed in accordance with this Chapter unless otherwise directed by a police officer or other authorized person.

10.44.060 Speed.

No person shall operate a bicycle at a speed greater than is reasonable and prudent under the conditions then existing and in no event at a speed greater than the prima facie speed limit applicable to motor vehicles.

10.44.070 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 approaching on said sidewalks or sidewalk area, and upon entering the roadway shall yield the right-of-way to all vehicles approaching on said roadway.

10.44.080 Riding on Sidewalks.

Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give an audible signal before overtaking and passing such pedestrian. At the intersection of two or more sidewalks, where the vision of the operator of a bicycle is so restricted by hedges, bushes, buildings, or any other obstruction so that the approach of a pedestrian cannot be observed and there is danger of a collision with the pedestrian, the operator of a bicycle shall dismount and walk through the intersection of the sidewalks.

10.44.090 Parking.

No person shall park a bicycle upon any public street, sidewalk, bicycle lane, or bicycle path in such a way that it impedes pedestrian traffic.

10.44.100 – Violation – Penalty.

Every person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor. In addition to the penalties provided by Chapter 1.08, the court may impound and retain possession of any such bicycle, the subject of such violation, and may retain possession thereof until the registration provided for in this chapter has been obtained by the person required so to do.

10.44.110 Report – Secondhand Dealer.

Persons engaged in the business of buying secondhand bicycles are required to make a weekly report to the Chief of Police specifying:

- A. The name and address of the person from whom each bicycle is purchased;
- B. The description of each bicycle purchased;
- C. The frame number thereof; and,
- D. The number of the license plate, tag or sticker found thereon, if any.”

SECTION 2. EFFECTIVE DATE. This Ordinance shall be in full force and effect thirty (30) days after its adoption.

SECTION 3. SEVERABILITY. If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional.

SECTION 4. PUBLICATION. The City Clerk is directed to cause a summary of this Ordinance to be published in the official newspaper at least once within fifteen (15) days after its adoption showing the vote thereon.

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The foregoing Ordinance was introduced at a regular meeting of the City Council of the City of Merced on the ____ day of _____, 2018, and was passed and adopted at a regular meeting of said City Council held on the ____ day of _____, 2018, by the following called vote:

AYES: Council Members:

NOES: Council Members:

ABSTAIN: Council Members:

ABSENT: Council Members:

APPROVED:

Mayor

ATTEST:
STEVE CARRIGAN, CITY CLERK

BY: _____
Assistant/Deputy City Clerk

(SEAL)

APPROVED AS TO FORM:



City Attorney



Date