

CHAPTER 3

BICYCLES

Part 1

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Part 1
Regulation of Bicycles

§101. License and Registration Required. It shall be unlawful for any person or persons to operate a bicycle upon any of the streets, alleys or public highways of the Borough of Emporium without the same having been licensed and registered in accordance with this Part by the Chief of Police of said Borough, or without bearing the license tag so issued, unless such bicycle is a new bicycle which has been acquired by the person operating the same within one (1) week prior to the date of such operation. (Ord. 260, 10/3/1960, §1)

§102. Definition. The term "bicycle" shall mean and include any light vehicle having two (2) wheels, equipped with or without pneumatic tires, propelled by pedals and operated by foot action. A new bicycle shall mean and include a bicycle which has never been operated upon any street, alley or public highway prior to its acquisition by the person operating it. (Ord. 260, 10/3/1960, §2)

§103. Application for License. All applications for license shall be made to the Chief of Police upon forms provided by the Borough, which shall contain the name, date of birth, and address of the owner, together with a description of the bicycle sufficient for identification thereof. The Chief of Police shall keep and maintain a permanent record of all applications made and all registrations, license tags and serial numbers issued in accordance with this Part. (Ord. 260, 10/3/1960, §3)

§104. License Fee. The annual license fee to be paid for each bicycle shall be in an amount, as established from time to time by resolution of the Borough Council, to be paid in advance. Upon receipt of evidence satisfactory to the Chief of Police of this Borough of loss of a tag, a new tag may be issued by said Chief of Police at no additional charge. Fees for licensing of bicycles shall be reviewed periodically by the Mayor and/or said Chief of Police and report made to Borough Council. (Ord. 260, 10/2/1960, §4; as amended by Ord. 392, 6/4/1984, §1; and by Ord. 412, 10/4/1993)

§105. Registration Date. Licensing and registration of bicycles shall be effective June 30th, and annually thereafter. (Ord. 260, 10/3/1960, §2; §5; as amended by Ord. 392, 6/4/1984, §2)

§106. Reciprocal Licenses. Licenses from other communities shall be recognized, provided reciprocal relations exist between said communities and the Borough of Emporium. (Ord. 260, 10/3/1960, §6)

§107. Inspection. No bicycle shall be registered and licensed until inspected, examined and found to be in a safe mechanical condition. Thereupon the Chief of Police shall issue a registration card to the owner and affix a license tag to the bicycle, and the tag shall remain so affixed until registration is renewed or removed for cause. All bicycles must bear a serial number, and if not, one shall be affixed. (Ord. 260, 10/3/1960, §7)

§108. Registration Card. The registration card shall be carried by the operator of the bicycle and shall be shown to any police officer on demand or when ordered to appear for any violation of this Part. (Ord. 260, 10/3/1960, §8)

§109. Prohibited Activities. It shall be unlawful for any person or persons willfully or maliciously to remove, destroy, mutilate, or alter the number of any bicycle frame subject to the provisions of this Part, or to remove, destroy, mutilate or alter any license tag or registration card issued pursuant to this Part. (Ord. 260, 10/3/1960, §9)

§110. Unlawful Operation. If any bicycle, except a new bicycle, is found on any street, alley or public highway of the Borough of Emporium without a license tag, it shall be prima facie evidence that said bicycle is being operated on the streets of this Borough without having been registered and licensed. Said bicycle shall be immediately impounded and shall be surrendered to the owner thereof upon receipt of proof of ownership and payment of the license registration fee hereinbefore provided. (Ord. 260, 10/3/1960, §10)

§111. Issuance of License. Every license issued hereunder shall be deemed to be granted subject to the following conditions:

A. Every bicycle operated one (1) hour after sunset until one (1) hour before sunrise shall be equipped with a lamp exhibiting a white light visible for a distance of at least five hundred (500) feet to the front and with a lamp or reflector on the rear exhibiting a red light.

B. No bicycle shall be operated unless it is in safe mechanical condition and in good working order at all times.

C. No bicycle shall be operated on any public sidewalk by:

(1) Any person twelve (12) years of age or over, at any time.

(2) Any person of any age from one (1) hour after sunset until one (1) hour before sunrise.

(3) Any person of any age in any Commercial District (C1 or C2) as defined in the Zoning Ordinance [Chapter 27] of Emporium Borough.

D. Every bicycle when operated on a public highway shall be kept as close to the right-hand curb as possible, and shall be operated in single file only. The riding of bicycles in circles is prohibited. It shall be unlawful for any person or persons riding a bicycle to cling to or attach themselves to any other moving vehicle.

E. The operator of a bicycle shall not carry another person on the bicycle when operating such bicycle upon any highway in the Borough nor shall the operator of any such bicycle tow or draw any coaster, sled, person on roller skates, toy vehicle, or other similar vehicle on any public highway. Bicycles designed to be operated by two (2) or more persons may be so operated.

F. No bicycle shall be ridden faster than is reasonable and every bicycle shall be operated with reasonable regard to the safety of the operator and other persons upon the public highways of the Borough.

G. No rider of a bicycle shall remove both hands from the handle bars or feet from the pedals, or practice any acrobatic stunts or fancy riding on any street, alley or public highway within the limits of Emporium Borough.

H. All persons operating a bicycle shall observe traffic lights and stop signs and be subject to all vehicular traffic laws of the State of Pennsylvania and the Borough of Emporium.

I. The operator of a bicycle shall not carry parcels unless they are strapped to the frame of the bicycle or placed in a parcel carrier.

J. Bicycles shall not be parked at the curb on the side toward the street.

(Ord. 260, 10/3/1960, §11; as amended by Ord. 412, 10/4/1993)

§112. Penalties.

1. Any person who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine not exceeding six hundred (\$600.00) dollars and costs, or in default of payment thereof, shall be subject to imprisonment for a term not to exceed thirty (30) days. Each day that a violation of this Part continues shall constitute a separate offense.

2. In addition to the penalty provided in subsection (1), the District Justice may prohibit the use of said bicycles in the thoroughfares of the Borough of Emporium for a period not to exceed six (6) months. During the period of prohibition the license tag and registration card shall be held by the Chief of Police. In lieu of the foregoing penalties the District Justice may in his discretion order that the bicycle of any person violating this Part shall immediately be taken and impounded by the Police Department of the Borough and shall be held by said Department not exceeding thirty (30) days, to be determined by the Chief of Police of said Department.

(Ord. 260, 10/3/1960, §11; as amended by Ord. 392, 6/4/1984, §3; and by Ord. 412, 10/4/1993)

