

**ORDINANCE 799**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF HUDSON, IOWA, BY AMENDING CHAPTER 76, BICYCLE REGULATIONS**

**BE IT ENACTED** by the City Council of the City of Hudson, Iowa:

**SECTION 1. AMENDED SECTION.** The Code of Ordinances of the City of Hudson, Iowa, 2017, is amending Chapter 76, which is hereby adopted to read as follows:

**BICYCLE REGULATIONS**

76.01 Definitions	76.10 Bicycle Lanes
76.02 Applicability of Motor Vehicle Laws	76.11 Penalty
76.03 Alteration of Serial Frame Number	76.12 Clinging to Other Vehicles
76.04 Sirens and Whistles Prohibited	76.13 Parking
76.05 Lamps and reflectors	76.14 Signaling Turns
76.06 Stopping	76.15 Motorists Change Lanes to Pass Bicyclists
76.07 Obedience to Signals	76.16 Opening Doors into Moving Traffic
76.08 Control of Bicycle	76.17 Yield to Persons in Crosswalk
76.09 Place of Riding	76.18 Penalties

**76.01 DEFINITIONS.**

1. "bicycle" means either of the following:
  - a. A device having up to four wheels and having at least one saddle for seat for the use of a rider which is propelled by human power.
  - b. A device having up to four wheels with fully operable pedals and electric motor of less than 750 watts.
  
2. "multi-use trail" means a way or place for the use and travel of bicycles, pedestrians, or other authorized conveyances, the use of which is controlled by the city, designated by the multi-use recreational trail maps, as approved by resolution by the city council, and no multi-use trail shall be considered as a street or highway.

**76.02 APPLICABILITY OF MOTOR VEHICLE LAWS.** Every person operating a bicycle upon the city streets, highways, park roads, or multi-use trails shall be subject to this chapter and other city traffic ordinances and the state statutes applicable to the drivers of motor vehicles, except as to special regulations in this chapter and except as to those provisions of ordinances and statutes which by their nature can have no applications or those provisions for which specific exceptions have been set forth regarding police bicycles.

**76.03 ALTERATION OF SERIAL FRAME NUMBER.** It shall be unlawful for any person to willfully or maliciously remove, destroy, mutilate or alter the manufacturer's serial frame number of any bicycle.

**76.04 SIRENS AND WHISTLES PROHIBITED.** A bicycle shall not be equipped with and a person shall not use a bicycle with any siren or whistle. This section shall not apply to bicycles ridden by peace officers in the line of duty.

**76.05 LAMPS AND REFLECTORS.**

1. Every bicycle ridden at any time from sunset to sunrise and at such other times when conditions such as fog, snow, sleet, or rain provide insufficient lighting to render clearly discernible persons and vehicles on the highway at a distance of three hundred feet ahead shall be equipped with a lamp on the front exhibiting a white light visible from a distance of at least three hundred feet to the front.
2. Every bicycle ridden at any time from sunset to sunrise and at such other times when conditions such as fog, snow, sleet, or rain provide insufficient lighting to render clearly discernible persons and vehicles on the highway at a distance of three hundred feet ahead shall be equipped with a lamp on the rear exhibiting a red light visible from a distance of three hundred feet to the rear; except that a red reflector may be used in lieu of a rear light.
3. Equivalent equipment such as headlamps and red light attachments to the head, back, arm, or leg may be used in lieu of a lamp on the front and a red light on the rear of the bicycle.
4. A citation issued for failure to have a front or rear lamp on a bicycle or on a bicycle rider as required shall first provide for a seventy-two-hour period within which the person charged with the violation shall replace or repair the lamp. If the person complies with the directive to replace or repair the headlamp or rear lamp within the allotted time period, the citation shall be expunged. If the person fails to comply within the allotted time period, the citation shall be processed in the same manner as other citations.
5. A peace officer riding a police bicycle is not required to use either front or rear lamps if duty so requires.

**76.06 STOPPING.** Every bicycle used upon the city streets, sidewalks, highways, park roads or multi-use trails shall be able to come to a complete stop within a safe distance.

**76.07 OBEDIENCE TO SIGNALS.** The following requirements apply to Permit Fees for operators of any off-road utility vehicle:

1. Every person operating a bicycle shall obey the directions of official traffic signals, signs and other control devices applicable to other vehicles, unless otherwise directed by a police officer, and shall obey direction signs relative to turns permitted, unless such person dismounts from the bicycle when he or she shall then obey the regulations applicable to pedestrians.
2. If a bicyclist has stopped pursuant to the directions of a traffic control device and has a reasonable belief that the traffic control device or signal is inoperative, the bicyclist may disregard or disobey the instructions of the traffic-control device or signal and proceed through the intersection, provided that:
  - a. There is no other vehicle approaching or entering the same intersection from a different highway, or from the same highway approaching or entering the intersection from the opposite direction; and
  - b. The bicyclist cautiously proceeds through the intersection with reasonable care and consideration for all other applicable rules of the road.

**76.08 CONTROL OF BICYCLE.** The operator of a bicycle upon a street, sidewalk, highway, park road or multi-use trail shall keep the bicycle under control at all times.

**76.09 PLACE OF RIDING.**

1. Any person operating a bicycle upon a roadway shall ride on the right half of the roadway or right lane of a roadway with one or more marked lanes for traffic traveling in the same direction except under any of the following situations:
  - a. When riding alongside or overtaking and passing another bicycle vehicle proceeding in the same direction.
  - b. When preparing for a left turn at an intersection or into a private road or driveway.
  - c. When reasonably necessary to avoid conditions (including, but not limited to, fixed or moving objects, vehicles, bicycles, pedestrians, animals, surface hazards, or substandard width lanes) that make it unsafe to continue along the right half of the roadway.
  - d. A facility that would allow bicycle traffic on the left side of the roadway.
  - e. When traveling straight through an intersection that has a dedicated right turn only lane.
  - f. When a street has parallel parked cars that when doors are opened could create a collision with the person riding a bicycle.
  - g. When an advanced stop line (bike box) allows for bicyclists to filter to the front of a traffic sign or signal and turn.
  - h. Any person operating a bicycle upon a roadway which carries traffic in one direction only and has two or more marked traffic lanes, may ride on the left traffic lanes.
  - i. A bicyclist may ride against the flow of traffic in a bike lane which is designed for counterflow bicycle traffic.
  - j. This section does not apply to the use of a bicycle in a parade or special event authorized by the city.

**76.10 BICYCLE LANES.**

1. Whenever a bicycle lane has been established on a roadway, any person operating a bicycle upon the roadway moving in the same direction may ride within the bicycle lane.
2. Any person operating a bicycle within a bicycle lane may move out of the lane when overtaking and passing another bicycle, vehicle, or pedestrian within the lane or about to enter the lane if such overtaking and passing cannot be done safely within the lane.
3. No person operating a bicycle shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal.
4. No person shall drive a motor vehicle in a bicycle lane established on a roadway except as follows:
  - a. To park where parking is permitted.
  - b. To enter or leave the roadway.
  - c. To prepare for a turn within a safe distance from the intersection.

**76.11 OPERATION ON SIDEWALK.** Bicycles may be operated upon the public sidewalks in a careful and prudent manner except where signs are erected to prohibiting riding on the sidewalk. Every person lawfully operating a bicycle upon a public sidewalk, shall yield the right-of-way when approaching a pedestrian and shall give an audible signal before overtaking and passing.

**76.12 CLINGING TO OTHER VEHICLES.** No person riding upon any bicycle on a street, sidewalk, highway, park road or multi-use trail shall attach the bicycle or himself or herself to any moving motor vehicle by tow rope, hand grip or otherwise.

**76.13 PARKING.** No person shall park a bicycle on a sidewalk so that there is not an adequate path for pedestrian traffic. Any bicycle parked on public property in a commercial district shall not be attached to trees.

**76.14 SIGNALING TURNS.** All signals are given in the following manner:

1. Left turn – Left hand and arm extended horizontally to left.
2. Right turn – Left hand and arm extended upward to the left or right hand and arm extended horizontally to right.
3. Stop or decrease of speed – Left hand and arm extended downward.

**76.15 MOTORISTS CHANGE LANES TO PASS BICYCLISTS.**

1. The driver of a motor vehicle overtaking a person riding a bicycle proceeding in the same direction on a roadway shall pass to the left of the bicycle in an adjacent travel lane or on the opposite side of the roadway and shall not again drive to the right side of the roadway until safely clear of the overtaken bicycle.
2. The driver of a motor vehicle overtaking a bicycle which is traveling on a paved shoulder or in a lane designated for the travel of bicycles shall give at least three feet of lateral passing distance between the outside of the vehicle and the bicyclist.

**76.16 OPENING DOORS INTO MOVING TRAFFIC.** No person shall open any door of a motor vehicle located on a street, highway, or park road without first taking precaution to ensure that this action does not interfere with the movement of traffic or endanger any other person or vehicle. In addition, no person shall leave open any door of a motor vehicle located on a highway for a period of time longer than necessary to load or unload passengers.

**76.17 YIELD TO PERSONS IN CROSSWALKS.** Yield to persons in crosswalks. The driver of a vehicle shall yield the right-of-way to a pedestrian or bicyclist crossing the roadway within any marked crosswalk or within any unmarked crosswalk at an intersection or multi-use trail crossing.

**76.18 PENALTIES.** Penalties for any violations of this chapter will be in accordance to Chapter 70 of the Code of Ordinances, Hudson, Iowa.

**SECTION 2. REPEALER.** All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

**SECTION 3. SEVERABILITY CLAUSE.** If any section, provision or part of this ordinance shall be adjudged invalid or unconstitutional, such adjudication shall not affect the validity of the ordinance as a whole or any section, provision or part thereof not adjudged invalid or unconstitutional.

**SECTION 4. WHEN EFFECTIVE.** This ordinance shall be in effect from and after its final passage, approval and publication as provided by law.

**PASSED AND APPROVED BY THE HUDSON CITY COUNCIL ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018.**

\_\_\_\_\_  
George Wessel, Mayor

ATTEST:

\_\_\_\_\_  
Chrissi Wiersma, City Clerk/Zoning Administrator

First Reading:

Second Reading:

Third Reading:

I certify that the foregoing was published as Ordinance No. 799 on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Chrissi Wiersma, City Clerk/Zoning Administrator