

Chapter 2

Bicycles

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Sec. 10-2-1 Definitions.

The following definitions shall be applicable in this Chapter:

- (a) **Bicycle.** Every device propelled by the feet acting upon pedals and having wheels, any two (2) of which are not less than fourteen (14) inches in diameter.
- (b) **Bicycles' Lane.** That portion of a roadway set aside for exclusive use of bicycles and so designated by appropriate signs and markings by the responsible governing body.
- (c) **Bike Route.** Any bicycle lane, bicycle way or highway which has been duly designated by the responsible governing body and identified by appropriate signs and markings.
- (d) **Bicycle Way.** Any path or sidewalk, or portion thereof, designated for the use of bicycles by the responsible governing body.
- (e) **Carrier.** Any device attached to a bicycle designed for carrying articles.
- (f) **Identification Tag.** A metal plate or sticker indicating that a bicycle is registered.
- (g) **Right-of-Way.** The right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed and proximity as to give rise to danger of collision unless one grants precedence to the other.

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Sec. 10-2-2 Manner of Operation Restricted.

No bicycle shall be allowed to proceed in any street in the City by inertia or momentum with the feet of the rider removed from the bicycle pedals. No rider of a bicycle shall remove both hands from the handlebars or practice any trick or fancy riding in any street in the City nor shall any bicycle rider carry or ride any other person so that two (2) persons are on the bicycle at one time, unless a seat is provided for a second person.

Sec. 10-2-3 Lighting and Other Equipment.

No person shall operate a bicycle upon a highway unless equipped as required in Sec. 347.489, Wis. Stats.

Sec. 10-2-4 Parking a Bicycle.

No person shall leave a bicycle at such a place or in such a way as to create a hazard to pedestrians, automobile operators or to anyone else. Bicycles shall be parked either upon the roadway against the curb, in bicycle racks or, if on the sidewalk, in such a manner as to afford the least obstruction to pedestrian traffic, and not in such a manner as to obstruct the ingress and egress to buildings used by the public. If there is no bicycle rack or other facility intended to be used for the parking of bicycles in the vicinity, the operator may park a bicycle on the sidewalk in an upright position parallel to and within twenty-four (24) inches of the curb.

Sec. 10-2-5 Rules of the Road.

The provisions of Chapters 346 and 347, Wis. Stats., and applicable City Ordinances shall govern the operation of bicycles where appropriate.

Sec. 10-2-6 Bicycle Regulations.

(a) **Rules for Turning.**

- (1) **Signal Required.** No bicycle operator shall suddenly stop, slow down or turn without giving an arm signal required by state law for the operation of motor vehicles.
- (2) **Prohibited Turns.** Whenever a uniform traffic control device is erected indicating that no right or left turn or U-turn is permitted, no person operating a bicycle shall disobey the direction of such device, except after dismounting from the bicycle to make such turn, in which event said person shall then obey the regulations, ordinances and laws applicable to pedestrians.

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- (3) **Right Turns.** Every person operating a bicycle intending to turn to the right at an intersection, alley or driveway shall approach the turning point in the line of traffic nearest the right-hand curb of the street.
- (4) **Left Turns.** Every person operating a bicycle intending to turn left at an intersection or to enter an alley or driveway shall approach the point of turning in the line of traffic nearest to the center of the roadway and shall pass to the left of the center of the intersection before turning unless otherwise directed by official traffic control devices. At intersections where traffic is moving in the opposite direction, if it is not safe for the operator to make a left turn as above described, he or she shall stay in the right-hand lane and drive to the opposite corner, dismount and walk the bicycle to the left-hand corner and proceed. A bicycle operator may also make a left turn by driving to the opposite corner and then turning left and driving in a normal driving position.
- (b) **Trick Riding.** No person shall operate a bicycle upon the streets of said City without having manual control of the handlebars or operate a bicycle in any other manner which necessitates the element of unusual extraordinary skill and involves unnecessary risk.
- (c) **Carrying Extra Passengers.** Bicycle operators shall not use a bicycle, except a tandem, to carry another person; however, a bicycle operator may carry a child securely attached to his or her person in a back pack or sling and may carry a child on a bicycle in a child's seat securely attached to and properly designed for use on a bicycle.
- (d) **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 and, upon entering the roadway, shall yield the right-of-way to all vehicles approaching on said roadway.
- (e) **Bicycles Not to be Pulled by Moving Vehicles.** No person riding upon a bicycle shall cling or attach himself or his bicycle to any other moving vehicle upon a street or highway, nor shall the operator of any such bicycle tow or draw any coaster wagon, sled, person on roller skates, toy vehicles or any other similar vehicle on such highway.
- (f) **Speed.** No person shall operate a bicycle at a speed greater than is reasonable and prudent under existing conditions or in excess of any posted speed limit.
- (g) **Sidewalk Operation.** The operation of bicycles on the public sidewalks is permitted provided that every person operating a bicycle on a sidewalk shall yield the right-of-way to any pedestrian and shall exercise due care and give an audible signal when passing a bicycle rider or pedestrian proceeding in the same direction.
- (h) **Bicycle Parking.** No person shall park any bicycle against windows or in the main traveled portion of any sidewalk or highway nor in such manner as to constitute a hazard to pedestrians, traffic or property. If there is no bicycle rack or other facility intended to be used for the parking of bicycles in the vicinity, the operator may park a bicycle on the sidewalk in an upright position parallel to and within twenty-four (24) inches of the curb. No person shall chain a bicycle to any post, pole, tree or other structure located upon the right-of-way of any highway except to a rack expressly provided therefor.

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Sec. 10-2-7 Inspection and Registration of Bicycles.

- (a) **Registration Required.** No person shall operate a bicycle upon any street, sidewalk, public property, bicycle pathway or public highway within the City of Onalaska unless said bicycle shall first have been properly registered and an identification tag attached as hereinafter provided.
- (b) **Form of Registration.**
 - (1) **How Made.** Registration shall be made by filing with the Onalaska Police Department on forms provided by the City of Onalaska giving the name, address and age of the owner and a complete description of the bicycle, including the name of the manufacturer, style, model, frame number and color.
 - (2) **Registration Fee.** The fee for registration of a bicycle shall be Two Dollars (\$2.00).
 - (3) **Identification Tag.** The registering employee or officer shall issue to the registrant a registration slip and an identification tag. The identification tag shall be immediately affixed to the registered bicycle, be serially numbered to correspond with the registration number and shall be firmly attached to the bicycle for which issued and kept visible and clean at all times.
 - (4) **Unsafe Bicycles Not to Be Registered.** No bicycle shall be registered which is in an unsafe mechanical condition.
 - (5) **Record of Registration.** A duplicate registration slip shall be filed with the Police Department as a public record. In the event of theft or loss of an identification tag, a duplicate tag shall be issued for a fee of Two Dollars (\$2.00).
 - (6) **Period of Registration.** All bicycle registrations shall be effective and valid as long as the owner retains title and possession of the bicycle.
 - (7) **Owner to Register.** The licensing authority shall not register any bicycle which it knows or has reasonable grounds to believe is not owned by or lawfully in the possession of the applicant.
 - (8) **Change of Ownership.** All bicycles must be registered within ten (10) days of purchase. Within ten (10) days after any bicycle registered as provided herein is sold or transferred to a new owner or dismantled and taken out of operation, the person in whose name the bicycle is registered shall report such information to the Police Department. The Police Department shall thereupon cancel the registration of the bicycle and the new owner, if any, shall be responsible for obtaining a new registration. In the case of dismantling or taking out of operation, the owner shall notify the Police Department.
- (c) **Responsibility of Parent or Guardian.** No parent or guardian of any child shall authorize, or knowingly permit, such child to violate any of the provisions of this Section or of any ordinance or state law applicable to the registration or operation of bicycles.
- (d) **Bicycles to be Kept in Safe Condition.** No bicycle shall be registered which is in an unsafe mechanical condition. The Chief of Police shall have authority to suspend the registration of and remove the identification tag from any bicycle or to impound any

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bicycle operated contrary to any State law or City Ordinance, or which is being operated in an unsafe mechanical condition. Such suspension and removal or impounding shall continue for a period not to exceed ten (10) days, but the registration shall not be reinstated or such identification tag replaced while such bicycle is in unsafe condition. Such suspension and removal shall be in addition to other penalties provided for herein.

- (e) **Change of Ownership.** Within ten (10) days after any bicycle registered hereunder shall have changed ownership or been dismantled and taken out of operation, such information shall be reported to the Police Department by the person in whose name the bicycle has been registered.
- (f) **Registration to be Displayed.** The identification tag issued under this Section shall be affixed to the registered bicycle so as to be plainly seen and read and shall remain so affixed until ordered removed by the Police Department for cause, or until expiration of the registration.
- (g) **Exemption from Registration.** Any non-resident may operate a bicycle which is duly registered in any municipality without obtaining local registration if a valid identification tag is attached thereto.
- (h) **Removal and Alteration of Identification Tags.**
 - (1) **Removal Prohibited.** No person shall remove an identification tag from a bicycle during the period for which issued except upon a transfer of ownership or when the bicycle is dismantled and no longer operated upon any highway within the City.
 - (2) **Alteration Prohibited.** No person shall alter or counterfeit any identification tag.
- (i) **Unclaimed or Unidentified Bicycles.** All abandoned or unidentified bicycles shall be delivered to the Police Department for storage, and all such bicycles remaining in the hands of the Police Department at the end of thirty (30) days may be sold at auction.

Sec. 10-2-8 Skateboards.

- (a) **Regulations.** It shall be unlawful for any person to operate or ride a skateboard in any of the following places:
 - (1) On any City street;
 - (2) On any sidewalk in any business district. For purposes of this Section, business district shall be defined as any area primarily commercial in nature;
 - (3) In any public parking ramp or parking lot;
 - (4) On any public property where signs prohibit it;
 - (5) On private property, unless permission has been received from the owner, lessee, or person in charge of that property.
- (b) **Yield Right-of-Way.** Operators or riders of skateboards shall yield the right-of-way to other pedestrians using City sidewalks, and shall not otherwise endanger or interfere with the pedestrian traffic on those sidewalks.

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- (c) **Penalties.** Notwithstanding Section 10-2-12, the penalties for violation of this Section shall be as follows:
- (1) Every person convicted of a violation of any provision of this Section may be required to surrender the use of the skateboard to the Municipal Court or to the police department for a period not to exceed five (5) days; and
 - (2) Every person age fourteen (14) and older convicted of a violation of any provision of this Section shall be subject to a forfeiture of not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00).
 - (3) The minimum forfeiture bond shall be as follows: Ten Dollar (\$10.00) forfeiture; One and 50/ 100 Dollars (\$1.50) penalty assessment; Ten Dollar (\$10.00) court costs, resulting in a total bond of Twenty-one and 50/100 Dollars (\$21.50).

Sec. 10-2-9 Bicycle Dealers.

- (a) **Buyers.** Every person engaged in the business of buying secondhand bicycles is hereby required to make a monthly report to the Police Department giving the name and address of the person from whom each bicycle is purchased, the name, color, type, size and serial number of each bicycle purchased and the number of the identification tag, if any, found thereon.
- (b) **Sellers.** All persons engaged in the business of selling secondhand bicycles are required to make a monthly report to the Police Department listing all sales, including the name and address of each buyer, a description of the bicycle, including the frame number and the number of the identification tag attached thereto, if any.
- (c) **Rental Agencies.** No person shall rent or offer to rent any bicycle within the City, which bicycle is not registered and to which an identification tag has not been attached, as provided herein, or which is not equipped as required by the laws of the State of Wisconsin and this Chapter.

Sec. 10-2-10 Applicability of Regulations.

Regulations and restrictions contained in this Chapter are applicable to persons operating bicycles upon any highway, bicycle way or bicycle path or upon any path set aside for the exclusive use of bicycles, except as expressly stated herein.

Sec. 10-2-11 Parental Responsibility.

The parent of any child and the guardian of any ward shall not authorize or permit any child or ward to violate any of the provisions of this Chapter.

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Sec. 10-2-12 Penalties.

- (a) Every person convicted of a violation of any provision of this Chapter may be required to surrender the use of the bicycle to the Municipal Court or the Police Department for a period not to exceed five (5) days.
- (b) Every person age fourteen (14) and older convicted of a violation of any provision of this Chapter shall be subject to a forfeiture of not less than Ten Dollars (\$10.00) nor more than Fifty Dollars (\$50.00).
- (c) The minimum forfeiture bond shall be as follows: Ten Dollars (\$10.00) forfeiture; One and 50/100 Dollars (\$1.50) penalty assessment; and Ten Dollars (\$10.00) court cost, resulting in a total bond of Twenty-one and 50/100 Dollars (\$21.50).

Sec. 10-2-13 Enforcement.

- (a) **Juvenile Offenders Under Age Eighteen (18).** Any offender under the age of eighteen (18) years who shall disregard the rules and regulations governing the operation of bicycles in this Chapter may be directed to appear before the Juvenile Court or Juvenile Court Officer who shall dispose of such person's case in the manner prescribed by the Court. Bicycle riders under the age of fourteen (14) years shall be issued a special bicycle violation ticket for violation of any of the provisions of this Chapter.
- (b) **Offenders Age Fourteen (14) and Older.** Any person having attained the age of fourteen (14) years may, in the discretion of the Police Department, be dealt with by the Municipal Court.
- (c) **Bicycle Court - Violations Schools.** Violations of this Chapter may be formally processed through constitutional and statutory courts or in the discretion of the Police Department and, in such cases where consent of the violator or parent or guardian of a violator who is a minor is obtained, may be processed by a special City Children's Bicycle Court and Violators' School. Rules of procedure of such court and school shall be subject to review by the Common Council of the City of Onalaska. Procedures for appeal from the decisions of the Bicycle Court shall be provided in the rules established hereunder.