

ORDINANCE NO. 990

AN ORDINANCE AMENDING Section 9-212, "TRAFFIC-Riding on Handlebars" of the Municipal Code of the City of Lexington, Dawson County, Nebraska, and providing for the regulation and operation of Bicycles and Motorcycles and Coordinating the present City Ordinances regulating Bicycles and Motorcycles and repealing the present Section 9-212 of the Municipal Code of the City of Lexington, and all other parts of Sections of the said Code and all ordinances or parts of ordinances in conflict with this Ordinance.

BE IT ORDAINED by the City Council of the City of Lexington, Nebraska.

Section 1. That Section 9-212 of the Municipal Code of the City of Lexington, be and it hereby is amended to read as follows:

"9-212.01 TRAFFIC-Bicycles and Motorcycles, Definitions.

a. Bicycle. Every device propelled by human power upon which any person may ride, having two tandem wheels either of which is over twenty (20) inches in diameter. b. Motorcycle. Every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, but excluding a tractor.

"9-212.02 TRAFFIC--Bicycles and Motorcycles, Traffic Laws applicable. Every person riding a bicycle or motorcycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this State declaring rules of the road applicable to vehicles or by the traffic ordinances of this City applicable to the driver of a vehicle, except as to those provisions of laws and ordinances which by their nature can have no application, and except as to special regulations in this article.

"9-212.03 TRAFFIC--Bicycles and Motorcycles, Obedience to traffic-control devices. Any person operating a bicycle or motorcycle shall obey the instructions of official traffic-control signals, signs,

and other control devices applicable to vehicles, unless otherwise directed by a police officer, where such operator dismounts such vehicle, the operator shall obey the regulations applicable to pedestrians.

"9-212.04 TRAFFIC--Bicycles and Motorcycles, Riding on Bicycles. a. A person propelling a bicycle shall not ride other than astride a permanent and regular seat attached thereto. b. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

"9-212.05 TRAFFIC--Bicycles and Motorcycles, Riding Bicycles on Roadways and Paths. a. Every person operating a bicycle upon a roadway shall ride as near to the right-hand side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

b. Persons riding bicycles upon a roadway shall not ride more than two abreast except on paths or parts of roadways set aside for the exclusive use of bicycles. c. Whenever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

"9-212.06 TRAFFIC--Bicycles and Motorcycles, Speed. No person shall operate a bicycle or motorcycle at a speed greater than is reasonable and prudent under the conditions existing and not greater than the speed limits of other ordinances and laws applicable.

"9-212.07 TRAFFIC--Bicycles and Motorcycles, Emerging from alley or driveway. The operator of a bicycle or motorcycle 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 sidewalk or sidewalk area, and upon entering the roadway/^{shall}yield the right of way to all vehicle approaching on said roadway.

"9-212.08 TRAFFIC--Bicycles and Motorcycles, Carrying Articles. No person operating a bicycle or motorcycle shall carry any package, bundle or article which prevents the rider from keeping both hands upon the handle bars.

9-212.09 TRAFFIC--Bicycles and Motorcycles, Parking. No person shall park a bicycle or motorcycle on any sidewalk or shall park upon a street other than upon the roadway against the curb, except where racks are provided with the consent of the Chief of Police.

"9-212.10 TRAFFIC--Bicycles and Motorcycles, Riding Bicycles on Sidewalks. a. No person shall ride a bicycle upon a sidewalk within the area bounded by Grant Street to Lincoln Street and U.S. Highway #30 to 7th Street. b. Riding a bicycle on any other sidewalk is a permissive use granted to a minor upon the expressed condition that the negligence of the minor while so riding shall be assumed by his parents and the parents shall be liable for such negligence of such minor. c. A person riding bicycles on the sidewalks, not in restricted areas, shall yield the right of way to any pedestrian and shall not overtake or pass such a pedestrian unless there is adequate and safe space to do so and on the further condition that such pedestrian is made aware of the intended passing or overtaking. d. The operator of a bicycle who collides with a pedestrian on the sidewalk shall be presumed to be negligent.

"9-212.11 TRAFFIC--Bicycles and Motorcycles, Clinging to vehicles. Section 9-211 of the Municipal Code shall be applicable to all operators of Bicycles and Motorcycles.

"9-212.12 TRAFFIC--Bicycles and Motorcycles, Equipment on Bicycles. a. Every bicycle when in use at nighttime shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least Five Hundred Feet (500') to the front and with a red reflector or reflector tape on the rear, of a type which shall be visible from all distances from Fifty Feet (50') to Three Hundred Feet (300') to the rear when directly in front of lawful beams of headlamps on a motor vehicle. A lamp emitting a red light visible from a distance of Five Hundred Feet (500') to the rear may be used in addition to the red reflector. b. Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.

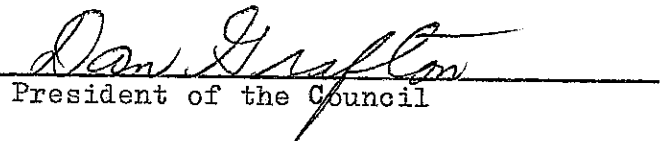
"9-212.13 TRAFFIC--Bicycles and Motorcycles, Penalties.

Every person convicted of a violation of this section shall be punished by a fine of not more than One Hundred Dollars (\$100.00) or by impounding of such persons vehicle not to exceed six (6) months or by a combination thereof, and shall stand committed to the City or County Jail in said City until the fine and costs of prosecution are fully paid."

Section 2. That Section 9-212 of the existing Code and any part of the existing code or ordinances in conflict hereto be and they are hereby repealed.

Section 3. That this ordinance shall take effect and be in force from and after its publication as by law provided.

Passed and approved this 13th day of April, 1964.



President of the Council

ATTEST:



City Clerk

(Seal)

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