

CHAPTER 4

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Part 1
Definitions

§101. Definitions.

Whenever in this ordinance the following terms are used they shall have the meanings respectively ascribed to them in this section:

BICYCLE — The word “bicycle” shall mean and include a vehicle with two tandem wheels, neither of which are less than 12 inches in diameter, with solid or pneumatic tires, having a steering bar or wheel, a saddle seat, and propelled by human power.

LICENSEE — Any person who procures from the Borough Secretary a license plate for a bicycle, together with a registration card accompanying same.

LICENSE PLATE — A plate or tag issued by the Borough Secretary bearing the license number.

OPERATE — The word “operate” or any form or tense thereof shall mean and refer to the use, putting into action or causing to function of a bicycle by a person mounted thereon.

(Ordinance 314, June 3, 1974, Article I, §13; as amended by Ordinance 348, January 4, 1982)

Part 2

Registration and License Requirements

§201. Registration; License.

It shall be unlawful for any person to operate a bicycle upon any street, sidewalk or other public place in the Borough without having first registered such bicycle and secured a license therefore; provided, however, that if said bicycle contains a license from a municipality within the Commonwealth of Pennsylvania, it shall not be necessary for such bicycle to be registered in the Borough. (Ordinance 314, June 3, 1974, Article 2, §2)

§202. Application.

Application for registration and license for a bicycle shall be made by the owner in writing, in duplicate, upon blank forms furnished by the Borough Secretary.

Such application shall be signed by the owner, and if the owner is a person under 18 years of age, the signature shall be witnessed by a parent of the owner; or if no parent is living, then by the legal guardian of the owner; the application shall state the full name and address of the owner of the bicycle, the name of the manufacturer, the serial number of the frame thereof, the approximate date when the owner obtained title thereto, and if not new when obtained, the name and address of the person from whom it was obtained.

Such application shall be presented to the Chief of Police. The bicycle to be registered and licensed shall be brought to the police station at the time of presenting the application for the purpose of examination.

The Chief of Police or some person authorized by him shall examine the bicycle, and if he finds the mechanical condition thereof such that it can be safely operated, and that it is equipped with the lights and attachments as herein provided, and further finds that the statements made in the application are true, he shall mark the application and duplicate "approved" attach his signature, and return the same to the applicant. The applicant shall thereupon file the application with the Borough Secretary, and pay a license fee of 50 cents.

The Borough Secretary shall, upon receiving such application and license fee, issue to the owner of the bicycle a registration card which shall contain the name and address of the owner and the description of the bicycle contained in the application. The applicant shall affix his signature to the registration card when issued in the presence of the Borough Secretary; who shall, with said certificate, also issue to the owner a license plate which shall contain the words "Borough of Fountain Hill" and the number of the license and indicate the year of issuance. The registration card and the license plate shall have the same number. The license plate shall be attached to the bicycle on the front thereof immediately below the steering bar or wheel.

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After the issuance of the registration card and plate, the Borough Secretary shall endorse upon the application, and the duplicate, the date of issuance and the number thereof; the original application shall be kept on file in the office of the Borough Secretary and the duplicate thereof shall be delivered to the Chief of Police, and shall be kept on file in his office.

(Ordinance 314, June 3, 1974, Article 2, §3; as amended by Ordinance 348, January 4, 1982)

§203. Term of License.

The license so issued shall be effective for one year. The license year shall be from June 1st to May 31st. (Ordinance 314, June 3, 1974, Article 2, §4)

§204. Loss, Sale, or Destruction of Bicycle; Surrender of License.

When any bicycle which has been registered and licensed, as herein provided, is sold, or is otherwise disposed of, or destroyed, the licensee shall immediately surrender to the Chief of Police with the registration card and the license plate issued therefore, with the name and address of the new owner, if any, written on the face of the registration card; and the Chief of Police shall immediately make proper endorsements thereof on his records and deliver the card and plate to the Borough Secretary, who shall immediately make proper endorsements on his records, retain the card and plate, and issue a new card and plate to the new owner free of charge.

The number of any license surrendered as provided in this section shall not be reissued.

(Ordinance 314, June 3, 1974, Article 2, §5; as amended by Ordinance 348, January 4, 1982)

§205. Loss of License Plate.

The licensee shall report immediately to the Chief of Police the loss or destruction of a license plate of the licensee, and with the circumstances surrounding the loss or destruction thereof. With the approval of the Chief of Police, the Borough Secretary shall issue a duplicate license plate upon payment of a fee of 50 cents. (Ordinance 314, June 3, 1974, Article 2, §6; as amended by Ordinance 348, January 4, 1982)

Part 3

Rules For Riding and Operating

§301. Riding Abreast.

When more than two persons in a group are operating bicycles on a roadway, they shall ride single file. (Ordinance 314, June 3, 1974, Article 3, §7)

§302. Clinging to Vehicles.

No person operating a bicycle shall cling or attach himself, or the bicycle, to any other moving vehicle. (Ordinance 314, June 3, 1974, Article 3, §8)

§303. Extra Passenger.

No person operating a bicycle shall carry another person in an unsafe manner on said bicycle. (Ordinance 314, June 3, 1974, Article 3, §9)

§304. Emerging From Alley, Driveways, and Garages.

The operator of a bicycle emerging from an alley, driveway, garage, or private sidewalk, shall stop the bicycle immediately prior to driving onto or across a public sidewalk, or onto or across a public sidewalk line projected across an alley, and shall exercise extreme care in making such movements. (Ordinance 314, June 3, 1974, Article 3, §10)

§305. Intoxication; Drugs; Physical Inability.

No person shall operate a bicycle while under the influence of liquor, or drugs, or while physically or mentally unfit to safely operate the same. (Ordinance 314, June 3, 1974, Article 3, §11)

§306. Light.

No bicycle shall be operated within the period from sunset to sunrise without having a properly lighted headlight attached to the front of the bicycle, visible under normal atmospheric conditions from the front thereof, a distance of not less than 100 feet, nor without having a red light or a reflector attached to the rear of the bicycle, which is clearly visible in the headlight beam of a motor vehicle for a distance of not less than 200 feet to the rear of the bicycle. (Ordinance 314, June 3, 1974, Article 3, §12)

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§307. Mechanical Condition.

No person shall operate a bicycle which is not in such mechanical condition so that it can be operated safely. (Ordinance 314, June 3, 1974, Article 3, §12)

§308. Operating on Sidewalk.

No bicycles may be operated on sidewalks. (Ordinance 314, June 3, 1974, Article 3, §14)

§309. Keep to Right.

All bicycles when operated on roadways shall be kept to the right and shall be operated as near as practicable to the right-hand edge of the roadway. (Ordinance 314, June 3, 1974, Article 3, §15)

§310. Signaling Devices.

Each bicycle shall be equipped with a signaling device in good working order and audible at a distance of 50 feet when sounded. (Ordinance 314, June 3, 1974, Article 3, §16)

§311. Speed.

No bicycle shall be operated at any time faster than is reasonable or proper, and every bicycle shall be operated with reasonable regard to the safety of the rider and of other person and property. (Ordinance 314, June 3, 1974, Article 3, §17)

§312. Traffic Regulations.

Every person operating a bicycle shall strictly observe all traffic signs and signals and all other traffic rules and regulations, applicable thereto, and shall obey the orders and directions of every officer in the Borough authorized to direct or regulate traffic. (Ordinance 314, June 3, 1974, Article 3, §18)

§313. Trick Riding.

No person shall, while operating a bicycle, indulge or engage in any kind of trick or unsafe riding. (Ordinance 314, June 3, 1974, Article 3, §19)

§314. Turns; Starting; Stopping.

The operator of a bicycle on a roadway, when making a right turn, shall follow the right-hand edge of the roadway, and the operator of a bicycle on a roadway when making a left turn shall approach the point of turning in the traffic lane nearest the center of the roadway. No operator of a bicycle shall start, slow down, stop, or attempt to turn without first indicating such movement as provided by law. (Ordinance 314, June 3, 1974, Article 3, §20)

Part 4

Other Provisions

§401. Inspection.

Any member of the Police Department is authorized to inspect any bicycle, at any reasonable time, for the purpose of making a checkup of the license plate and license number, serial number, and for the purpose of determining the mechanical condition of the bicycle. (Ordinance 314, June 3, 1974, Article 4, §21)

§402. Removal of Serial Number or License Plate.

It shall be unlawful for any person, willfully or maliciously, to remove, destroy, mutilate, or alter the serial number of any bicycle licensed hereunder; or to remove, destroy, mutilate, or alter any license plate or registration card in force. The Chief of Police is hereby authorized to stamp numbers on the frame of a bicycle in a legible manner for identification purposes, upon which no serial number can be found, or upon which the serial number is illegible or insufficient for identification purposes. (Ordinance 314, June 3, 1974, Article 4, §22)

§403. Use of Bicycle Without Consent of Owner.

It shall be unlawful for any person to use or operate any bicycle within the Borough without the consent of the owner. (Ordinance 314, June 3, 1974, Article 4, §23)

§404. Bicycle Without Serial Number.

It shall be unlawful for any person residing in the Borough, or any dealer in bicycles operating in the Borough, to purchase, receive in trade, or otherwise acquire any bicycle from which the serial number on the frame has been removed, destroyed, mutilated or altered, without first reporting the same to the Chief of Police. (Ordinance 314, June 3, 1974, Article 4, §24)

§405. Enforcement of Provisions.

The Chief of Police shall enforce the provisions of this ordinance. (Ordinance 314, June 3, 1974, Article 4, §25)

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§406. Penalty.

Any person violating any of the provisions of this ordinance shall, upon conviction thereof before a District Justice, be subject to a fine of not less than \$10 or more than \$300. (Ordinance 314, June 3, 1974, Article 4, §26; as amended by Ordinance 348, January 4, 1982)