

CITY OF HIGHLAND PARK

ORDINANCE NO. ____

**AN ORDINANCE AMENDING CHAPTER 75 OF
“THE HIGHLAND PARK CODE OF 1968,” AS AMENDED,
REGARDING BICYCLES**

WHEREAS, Chapter 75 of “The Highland Park Code of 1968,” as amended (“*City Code*”), regulates the registration and use of bicycles in the City; and

WHEREAS, the City Council desires to amend Chapter 75 of the City Code, and related provisions of Chapter 71 of the City Code, to update and clarify the City’s bicycle regulations; and

WHEREAS, the City Council has determined that it will serve and be in the best interest of the City and its residents to amend the City Code pursuant to this Ordinance;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF HIGHLAND PARK, LAKE COUNTY, STATE OF ILLINOIS, as follows:

SECTION ONE: RECITALS. The foregoing recitals are incorporated into, and made a part of, this Ordinance as the findings of the City Council.

SECTION TWO: INTERFERENCE WITH BICYCLES. Chapter 71, entitled “Traffic Rules,” of Title VII, entitled “Traffic Regulations,” of the City Code shall be amended to add a new Section 71.272, which Section 71.272 shall read as follows:

"Sec. 71.272 Interference with Bicycles.

(A) **Right of Way to a Bicycle on Left Turn.** The driver of a motor vehicle that is turning left within an intersection shall yield the right-of-way to a bicycle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard.

(B) **Turning Right Ahead of a Bicycle.** When a motor vehicle and a bicycle are traveling in the same direction on any street, the operator of the motor vehicle overtaking such bicycle traveling on the right side of the roadway shall not turn to the right in front of the bicycle at an intersection, alley, or driveway until such motor vehicle has overtaken and is safely clear of the bicycle.

(C) **Overtaking on the Left of a Bicycle.** The operator of a motor vehicle overtaking a bicycle proceeding in the same direction on a street shall leave a safe distance of not less than three feet when passing the bicycle, and shall maintain that distance until safely past the overtaken bicycle.

(D) Drivers to Exercise Due Care. Every driver of a motor vehicle shall: (1) exercise due care to avoid colliding with any pedestrian, or with any person operating a bicycle upon any street; (2) give warning by sounding the horn when necessary; and (3) exercise proper precautions upon observing any person upon a roadway.

(E) Opening and Closing Vehicle Doors. No person shall open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so and can be done without interfering with the movement of other traffic; nor shall any person leave a door open on the side of a vehicle available to moving traffic for a period of time longer than necessary to load or unload passengers."

SECTION THREE: BICYCLE REGULATIONS. Chapter 75, entitled "Bicycle Regulations," of Title VII, entitled "Traffic Regulations," of the City Code shall be, and is hereby, amended further, and shall read as follows:

"CHAPTER 75: BICYCLE REGULATIONS

SECTION

75.001	Definition
75.005	Applicability
75.010	Rental of Bicycles
75.015	Bicycle Dealers
75.020	Traffic Laws
75.025	Equipment of Bicycles
75.030	Operation of Bicycles
75.035	Use of the Green Bay Trail, Skokie Valley Bike Path, and McClory Bike Path
75.999	Enforcement - Penalty

Sec. 75.001 Definition.

For purposes of this Chapter, "bicycle" shall mean a multi-wheeled vehicle that has at least one wheel with a diameter of not less than 14 inches and that is propelled by human power.

Sec. 75.005 Applicability.

This Chapter shall apply to the operation of a bicycle upon any street or public path in the City, except as expressly provided otherwise.

Sec. 75.010 Rental of Bicycles.

No person shall rent or offer any bicycle for rent unless such bicycle is: (a) equipped with the lamps and other equipment required pursuant to this Chapter; and (b) in safe mechanical condition.

Sec. 75.015 Bicycle Dealers.

Every person engaged in the business of buying or selling new or second-hand bicycles in the City shall keep a written record of every bicycle purchased or sold by such dealer, which record shall include, without limitation: (a) the name and address of the person from whom purchased and to whom sold; (b) a description of such bicycle by name or make; and (c) the frame number thereof. Each record required to be kept pursuant to this Section 75.015 shall be retained for a minimum of five years after the date of the purchase or sale.

Sec. 75.020 Traffic Laws.

(A) General. Every person operating a bicycle upon a street or public path in the City shall have all of the rights, and all of the duties, applicable under State statutes and City ordinances to the driver of a motor vehicle, except as specifically provided otherwise in this Chapter.

(B) Operation of Bicycles on Sidewalks.

(1) No person shall operate a bicycle upon a sidewalk within any commercial zoning district of the City.

(2) In all other zoning districts of the City, bicycles may be operated on sidewalks, except as may be prohibited pursuant to Section 75.020(H) of this Chapter.

(C) Yield to Pedestrians. Every person operating a bicycle shall: (1) yield the right-of-way to any pedestrian; (2) give an audible signal before overtaking and passing such pedestrian; and (3) maintain and control of the bicycle at all times.

(D) Location Along Roadways, Sidewalks, and Paths. Every person operating a bicycle upon a roadway, sidewalk or path shall ride as near as practicable to the right-hand side of the pavement, except when: (1) passing another vehicle travelling in the same direction; (2) preparing to turn; or (3) reasonably necessary to avoid unsafe conditions along the right-hand side of the pavement.

(E) Emergence Onto Rights-of-Way. The operator of a bicycle emerging from an alley, driveway, or building shall: (1) stop before riding on or across a sidewalk, or into a street or roadway, of which the view is obscured; and (2) in all cases, yield the right-of-way to all pedestrians and vehicles approaching on the sidewalk, street, or roadway.

(F) Speed of Bicycles. No person shall operate a bicycle faster than is reasonable and proper in regard to the safety of the rider and other vehicles and pedestrians.

(G) Stopping or Turning. The operator of a bicycle shall not suddenly stop, slow down, or turn without giving an arm signal as provided by State law.

(H) Prohibitions by City Council. The City Council shall have the right, by resolution duly adopted, to authorize the erection of signs on any street, sidewalk, or other public place prohibiting the riding of bicycles thereon or therein. When such signs are in place, it shall be unlawful to ride a bicycle on such street, sidewalk or other public place.

Sec. 75.025 Equipment of Bicycles.

(A) Every bicycle shall be equipped with a brake that will enable the operator to make the braked wheels skid on dry, level, clean pavement.

(B) Every bicycle, when operated on any street or sidewalk during the period from sunset to sunrise, shall be equipped with: (1) a lamp on the front of the bicycle that is capable of exhibiting a white light visible from a distance of at least 500 feet; and (2) a red reflector on the rear of the bicycle that is designed and maintained as to be visible at night from a distance of at least 200 feet when directly in front of a motor vehicle displaying lawfully lighted head lamps. A lamp exhibiting a red light visible from a distance of 300 feet to the rear may be used in addition to the rear reflector.

(C) Every person under the age of 18 years shall wear a protective helmet that meets the standards promulgated by the American National Standards Institute or the American Society for Testing and Materials or the Snell Memorials Foundation, Inc., whenever that person is upon a public highway, sidewalk, bicycle path, or other public right-of-way within the corporate limits of the City and is riding or being carried on any bicycle or any carrier attached to or pulled by a bicycle, or is skateboarding or using in-line skates or any other non-motorized user-propelled wheeled device.

Sec. 75.030 Operation of Bicycles.

(A) No person shall ride a bicycle other than upon or astride a regular seat firmly attached thereto.

(B) No person operating a bicycle shall carry any package, bundle or article in a manner that prevents the operator from keeping at least one hand upon the handlebars.

(C) Persons operating bicycles upon a roadway shall not ride more than two abreast, and shall not ride in a group so as to obstruct motor vehicle traffic.

(D) No operator of a bicycle shall remove both hands from the handlebars or both feet from the pedals, or practice any acrobatic riding on any street; nor shall any person operating a bicycle upon a street participate

in any race for speed or endurance contest with any other vehicle, except upon approval, and under the supervision, of the City Police Department.

(E) No person, while operating a bicycle, shall cling or attach himself or herself or the bicycle to any other moving vehicle or object.

(F) No person shall operate a bicycle while using any device that may impede his or her awareness of auditory or visual warning signals or conditions.

(G) Parking of Bicycles.

(1) No person shall park a bicycle upon a roadway. Bicycles parked in an alley, driveway, or public parking lot, or on a sidewalk or public path, must be in such a position as not to interfere with the safety or movement of vehicular or pedestrian traffic.

(2) Bicycles shall be secured by the operator in such a manner, by lock, chain, cable or other means, to prevent theft of the bicycle when parked or left unattended.

(H) The City Council may designate mandatory parking areas in specified portions of the City in which bicycles shall be parked. When such areas have been so designated, no person shall park a bicycle in such specified portions of the City except in the designated parking areas.

(I) No person shall operate a bicycle under the influence of a controlled substance or alcoholic beverage.

Sec. 75.035 Use of the Green Bay Trail, Skokie Valley Bike Path, and McClory Bike Path.

(A) The regulations set forth in this Section 75.035 apply to the Green Bay Trail, the Skokie Valley Bike Path, and the McClory Bike Path (collectively, the "Bicycle Paths").

(B) The Bicycle Paths are restricted to the following uses:

(1) Bicycles;

(2) Pedestrians;

(3) All vehicles and equipment of the City or of other units of local government, or of private contractors authorized by the City, for the purpose of performing maintenance on a Bicycle Path;

(4) Police and emergency vehicles; and

(5) Vehicles and any equipment of a unit of government or of a private utility company, for the purpose of maintaining utilities located within a Bicycle Path.

(C) All other motorized and non-motorized vehicles and means of conveyance are prohibited from using the Bicycle Paths, including, without limitation: motor vehicles, motorcycles, motor bikes, mini-bikes, mopeds, go-carts, dirt bikes, all terrain vehicles, equines, equine drawn vehicles, and snowmobiles.

Sec. 75.999 Enforcement - Penalty.

(A) Except as provided in Section 75.999(B) of this Chapter, any person who violates any provision of this Chapter, and any parent or legal guardian of a minor who knowingly permits such minor to violate any provision of this Chapter, shall be fined in an amount of not less than \$50 and not more than \$750.

(B) Any parent or legal guardian of a minor who knowingly violates Section 75.025(C) of this Chapter shall be fined in the amount of \$_____.”

SECTION FOUR: PUBLICATION. The City Clerk shall be, and is hereby, directed to publish this Ordinance in pamphlet form pursuant to the Statutes of the State of Illinois.

SECTION FIVE: EFFECTIVE DATE. This Ordinance shall be in full force and effect from and after its passage, approval, and publication in the manner provided by law.

[SIGNATURE PAGE FOLLOWS]

AYES:

NAYS:

ABSENT:

PASSED:

APPROVED:

PUBLISHED IN PAMPHLET FORM:

ORDINANCE NO.

ATTEST:

Nancy R. Rotering, Mayor

Ghida S. Neukirch, City Clerk

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