

**ORDINANCE C**

**AN ORDINANCE AMENDING CHAPTER 21 OF THE CODE OF ORDINANCES TO REGULATE BICYCLES (2020-10-28/O-8)**

BE IT ORDAINED by the Council of the Town of Chapel Hill as follows:

**Section 1.** That Article IV, Chapter 21, Sec. 21-41 of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended to read as follows:

"Sec. 21-41. - Definitions.

- (a) *Bicycle:* A nonmotorized vehicle with two (2) or three (3) wheels tandem, a steering handle, one or two (2) saddle seats, and pedals by which the vehicle is propelled, or an electric assisted bicycle, as defined in G.S. 20-4.01(7a). (GS 20-171.1)
- (b) *Bikeway:* A thoroughfare suitable for bicycles, and which may either exist within the right-of-way of the modes of transportation, such as highways, or along a separate and independent corridor. The term "bikeway" may include "bike lanes", "bike paths" and "bike trails".
- (c) *Bike lanes:* That portion of a roadway set aside for the use of bicycles and so designated by the state or local government, ~~as provided in section 21-42.~~
- (d) *Bike path:* A separate pathway for bicycles and pedestrians paralleling a roadway, located within the right-of-way of said roadway as so designated by the state or local government, ~~ad so designated as provided in section 21-42.~~
- (e) *Bike trail:* A pathway for bicycles and pedestrians located within a public easement or right-of-way other than that of a roadway and so designated by the state or local government, ~~and so designated as provided in section 21-42.~~
- (f) *Moped:* A vehicle, other than a motor-driven bicycle or an electric assisted bicycle, that has two or three wheels, no external shifting device, a motor that does not exceed 50 cubic centimeters piston displacement and cannot propel the vehicle at a speed greater than 30 miles per hour on a level surface. The motor may be powered by electricity, alternative fuel, motor fuel, or a combination of each. (GS-20-4.01(27)(j).) having two (2) or three (3) wheels and operable pedals and equipped with a motor which does not exceed fifty (50) cubic centimeters piston displacement and cannot propel the vehicle at a speed greater than twenty (20) miles per hour on a level surface."

**Section 2.** That Article IV, Chapter 21, Sec. 21-42 of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended to read as follows:

"Sec. 21-42. - Establishment of bikeways; signs.

The town manager, or their designee, is authorized to shall place or cause to be placed appropriate signs or other markings indicating the bikeways, including, but not limited to, bike lanes, bike paths, and bike trails as further described herein. ~~as designated below:~~

(a) ~~The following are designated as bike paths:~~

~~East Franklin Street (north side) — Estes Drive to Hillsborough Street.~~

~~Martin Luther King, Jr. Boulevard (east side) — Hillsborough Street to Estes Drive.~~

~~Martin Luther King, Jr. Boulevard (west side) — Umstead Drive to North Columbia~~

~~Street.~~

~~Columbia Street (west side) — Martin Luther King, Jr. Boulevard to Cameron Avenue.~~

~~Columbia Street (east side) — Cameron to Rosemary Street.~~

~~Pittsboro Street (west side) — From Cameron Avenue to a point 50 feet north of University Drive West Extension.~~

~~Raleigh Road (north side) — NC 15-501 Bypass to Country Club Road~~

~~(b) — The following are designated as bike lanes:~~

~~Cameron Avenue (north side) — Fetzer Lane Pittsboro Street to a point 160 feet west of the center line of Graham Street.~~

~~Cameron Avenue (south side) — South Columbia Street to Merritt Mill Road.~~

~~Country Club Road (east side) — Gimghoul Road to Boundary Street.~~

~~(c) — The following are designated as bike lanes for 7:00 a.m. to 9:45 a.m.:~~

~~Cameron Avenue (south side) — South Columbia Street to Merritt Mill Road.~~

~~(d) — The following are designated as bike lanes from 3:00 p.m. to 6:00 p.m.:~~

~~Cameron Avenue (north side) — Fetzer Lane to a point 160 feet west of the center line of Graham Street.~~

~~(e) — The following are designated as bike trails:~~

~~Muirhead Trail — From Cleveland Road to Ridgefield Road.~~

~~Glendale Trail — From Weaver Road right-of-way to Valley Park Drive.~~

~~**Cross reference** — Bike lane overlay zones, § 21-27.3."~~

**Section 3.** That Article IV, Chapter 21, Sec. 21-43 of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended to read as follows:  
"Sec. 21-43. - Shared facilities.

While roadways are provided for the safety and convenience of vehicles, sidewalks are provided for the safety and convenience of pedestrians and bikeways are provided for the safety and convenience of bicycles, it is recognized that in many instances such facilities may be shared. On shared facilities, the following regulations shall apply:

- (a) When using bike paths and bike trails, pedestrians shall walk as far to the right as practicable; shall walk no more than two (2) abreast; and shall exercise due care. Bicyclists shall give audible signal before passing a pedestrian on a bike path or trail.
- (b) When using sidewalks, bicyclists shall not exceed a safe speed seven (7) miles per hour, shall yield the right-of-way to pedestrians and shall pass only on the left and only after giving audible warning to pedestrians.
- (c) Reserved.
- (d) ~~Persons riding bicycles upon a sidewalk or bikeway shall ride single file except when passing another bicycle."~~

**Section 4.** That Article IV, Chapter 21, Sec. 21-49 of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended to read as follows:

"Sec. 21-49. - Direction of travel.

~~The following bikeways are designated for two-directional traffic:~~

~~Martin Luther King, Jr. Boulevard (east side) — Estes Drive to 646 feet south of Estes Drive;~~

~~Muirhead Trail;~~

~~Glendale Trail.~~

All other bikeways shall carry bicycle traffic only in the direction of the nearest adjacent traffic lane, unless otherwise specified by the Town Manager, or their designee."

**Section 5.** That Article IV, Chapter 21, Sec. 21-52 of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended to read as follows:

"Sec. 21-52. - Driving vehicles across bikeways.

No person shall drive a ~~motorized~~ vehicle or moped upon or across a bikeway except at public street intersections or to enter a driveway. No person shall drive upon or across a bikeway as permitted by this section except after giving the right-of-way to all bicycles within the lane."

**Section 6.** That Article IV, Chapter 21, Sec. 21-53 of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended to read as follows:

"Sec. 21-53. - Equipment.

Every bicycle shall be equipped with a lighted lamp on the front thereof, visible under normal atmospheric conditions from a distance of at least three hundred (300) feet in front of such bicycle, and shall also be equipped with a reflex mirror or lamp on the rear, exhibiting a red light visible under like conditions from a distance of at least ~~two-three~~ hundred (2300) feet to the rear of such bicycle, or the operator must wear clothing or a vest that is bright and visible from a distance of at least 300 feet to the rear of the bicycle. when used at night. (GS 20-129(e))"

**Section 7.** That Article IV, Chapter 21, Sec. 21-54 through Section 21-62 of the Code of Ordinances, Town of Chapel Hill, North Carolina, is hereby amended to read as follows:

"Secs. 21-54 – 21-61. Reserved.

~~Sec. 21-54. — Owner protection and identification; finding and declaration of necessity.~~

~~It is hereby found that the number of bicycles owned by the citizens and residents of the Town of Chapel Hill and the operation of bicycles on the public streets have greatly increased in recent years; that the number of accidents involving bicycles while being operated on the public streets has been growing; that larceny of bicycles has risen to many hundreds in recent years with consequent monetary losses formerly in excess of twenty-five thousand dollars (\$25,000.00) per year, and now more than double, and that the rate of monetary loss is steadily increasing; that many of the accidents have occurred by reason of improperly maintained, equipped, or operated bicycles and that the operators thereof have~~

~~lacked proper personal identification; that theft of bicycles is being encouraged by reason of a lack of registration and proper identification and their recovery is unlikely; that proper identification of bicycles temporarily the subject of unauthorized use and subsequently recovered as abandoned has not been possible, and proper notification to owners has been impeded by lack of sufficient information; that a comprehensive program of inspection, operator education, registration and identification of all bicycles owned and operated in the Town of Chapel Hill as a means of owner protection and identification is necessary and that it is in the public interest that such program be instituted as soon as possible and that the necessity for the provisions hereinafter ordained is hereby declared as a matter of legislative determination to be in the public interest.~~

~~Sec. 21-55. — Registration of bicycles generally.~~

~~All bicycles located within the town owned by persons living in the Town of Chapel Hill shall be registered with the town and shall at all times bear a valid registration decal issued by the town.~~

~~Sec. 21-56. — Registration of bicycles temporarily operated within the town.~~

~~Any bicycle temporarily operated upon public streets and sidewalks of the town by persons not living in the Town of Chapel Hill may be registered with the town in accordance with the provisions of this article.~~

~~Sec. 21-57. — Transfer of ownership.~~

~~The transfer of ownership of any bicycle required to be registered shall be reported to the town and registration by the new owner obtained within thirty (30) days after transfer of ownership.~~

~~Sec. 21-58. — Duration of registration.~~

~~In order to assure that there exist at all times a current registration and a legible decal on such bicycle for the purpose of identification, registration shall be valid for period ending December 1 in even numbered years two (2) years after the effective date of these registration provisions; provided, however, that in the event a registration decal becomes illegible by reason of being damaged, defaced, or otherwise mutilated the owner shall immediately apply for a new decal.~~

~~Sec. 21-59. — Reserved.~~

~~Sec. 21-60. — Failure to register.~~

~~Any person failing to register a bicycle required to be registered by the provision of this article shall be advised of the requirements of registration and shall be issued a warning that in the event said bicycle is not registered within seven (7) days and proof of said registration filed with the police department, he shall be subject to the penalties for violation of this article.~~

~~Sec. 21-61. — Penalties.~~

~~Any person violating the provisions of section 21-55, 21-57, or 21-58 shall be subject to a fine not to exceed ten dollars (\$10.00).~~

~~Sec. 21-62. - Mopeds prohibited on sidewalks, bike paths, bike trails; penalty.~~

~~It shall be unlawful for any person to ride a moped (as defined in § 21-41(f)) on any sidewalk (as defined in section 21-20.1), or bike path or bike trail (as defined in section 21-~~

41(d) and (e) respectively). A person found in violation of this section shall be subject to a civil penalty not to exceed five dollars (\$5.00)."

**Section 8.** This ordinance is effective upon enactment.

This the 28<sup>th</sup> day of October, 2020.