



Ratification
Number 2013-111

AN ORDINANCE

TO AMEND CHAPTER 19 OF THE CODE OF THE CITY OF CHARLESTON BY AMENDING SECTION 19-123 THEREIN TO CREATE A ONE YEAR (1) PILOT PROGRAM PROHIBITING THE PARKING OF BICYCLES WITHIN THAT SECTION OF KING STREET BETWEEN CALHOUN STREET AND SPRING STREET EXCEPT IN A DESIGNATED BICYCLE PARKING AREA.

Be it Ordained by the Mayor and Councilmembers in City Council Assembled:

Sec. 19-123. Manner of parking.

(a) Findings:

1. The parking of human powered, pedal cycles ("Bicycles") by securing or otherwise locking them onto street trees, street lights, stop signs and other legal encroachments in the public right-of-ways can cause safety hazards to pedestrians and motorists using the public-right-of-ways; and
2. The parking Bicycles by securing or otherwise locking them onto street trees, street lights, stop signs and other legal encroachments in the public right-of-ways can block or greatly impair the means of ingress and egress to public and private property; and
3. The parking Bicycles by securing or otherwise locking them onto street trees, street lights, stop signs and other legal encroachments in the public right-of-ways can cause a disorderly appearance that diminishes the aesthetics of the surrounding area; and
4. The City supports and encourages the use of bicycle racks as a safe and secure manner of bicycle parking and to this end is working diligently to install bicycle racks on public property to provide adequate space for bicycle parking in known areas of heavy bicycle traffic; and

(b) Parking Prohibited:

1. Bicycles shall not be secured or otherwise locked to street trees, street lights, stop signs, parking meters, boat docks, legal encroachments, or public property located in the public right-of-ways.
2. Bicycles shall not be secured or otherwise locked or placed on private property in a manner where any portion of the bike intrudes into the public right-of-way.
3. City police or parking enforcement officers on Bicycles ("Enforcement Officer") shall be exempt from the above-described restriction when in the

course and scope of their duties they determine in good faith that parking their bicycle in such a manner is necessary to perform their official duties.

(c) Penalties:

1. Owners or operators of Bicycles parked in violation of Paragraph (b) shall be subject to the following infractions:

ii. A Police, Code Enforcement or Parking Enforcement Officer may confiscate the Bicycle by removal to their headquarters or Brigade Street property or by adding a City lock to the illegally parked Bicycle.

(A) A confiscated Bicycle shall be released upon proof of ownership and the payment of a \$45 fee for removal and storage.

(B) Bicycles remaining in the City's custody without identification of ownership and the payment of the fee as set forth above after a period of 30 days, shall be deemed to be abandoned and shall be disposed of in accordance with the law.

(d) The City shall bear no responsibility to a Bicycle owner or operator for loss of or damage to a confiscated Bicycle, including any chain or locking mechanism, in its enforcement of this section."

Section 4. This Ordinance shall become effective upon ratification and shall expire one year after being enacted unless further legislative action is taken by City Council.

Ratified in City Council this 8th day of October in the Year of Our Lord, 2013, in the 238th Year of Independence of the United States of America.



Joseph P. Riley, Jr., Mayor



Vanessa Turner Maybank
Clerk of Council

(ATTEST)