

CITY OF SEGUIN

AN ORDINANCE OF THE SEGUIN CITY COUNCIL AMENDING CHAPTER 98, ARTICLE II, OF THE SEGUIN CODE OF ORDINANCES BY ADDING A NEW ARTICLE VI, BICYCLES; PROVIDING FOR PENALTIES; PROVIDING FOR PUBLICATION OF THIS ORDINANCE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR AN EFFECTIVE DATE; AND AUTHORIZING CITY STAFF TO PREPARE THIS ORDINANCE FOR SUBMISSION AS A SUPPLEMENT TO THE CODE OF ORDINANCES

WHEREAS, in 2007 the City Council passed Ordinance 07-78 that set fees under Appendix C and repealed bicycle registration; and

WHEREAS, Ordinance 07-78 deleted not only the bicycle registration from the Seguin Code of Ordinances, but also deleted the entire Article VI including the division regulating the use of bicycles within the City; and

WHEREAS, the use of bicycles for both recreation and transportation is increasing; and

WHEREAS, the City Council desires to keep streets and sidewalks safe for all users.

NOW THEREFORE BE IT ORDAINED by the City Council of Seguin, Texas:

SECTION ONE. Chapter 98 of the Seguin Code of Ordinances is amended by the addition of a new Article VI as set forth below:

ARTICLE VI. BICYCLES

Sec. 98- 156. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Bicycle means a device having two or three wheels, connected by a frame, and designed to be propelled by human power. This definition does not apply to toy tricycles or velocipedes.

Sec 98-157. Application of traffic laws to bicycle riders and penalties for violation thereof.

- (a) Every person operating or riding a bicycle on a roadway within the City of Seguin will be subject to the same State laws and City ordinances that apply to motor vehicles operating upon public roadways.
- (b) All bicycles operating on a roadway shall be equipped as required by State law.

- (c) Any person violating an affirmative duty found in this Article commits a misdemeanor and may be cited and punished in accordance with Chapter 543 of the Texas Transportation Code.

Sec 98-158. Parking.

No person shall park a bicycle in a public place except upon a street parallel to and no more than 18 inches from the curb or upon a sidewalk in a rack designed to support the bicycle or against a building. The bicycle shall be secured in a manner so as to afford the least obstruction to pedestrian traffic.

Sec 98-160. Use of roadway prohibited where path provided.

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.

Sec. 98-159. Riding on Sidewalks.

- (a) No person shall ride a bicycle upon a sidewalk within a business district, as defined in Section 98-1. The police department may erect signs on any other sidewalk prohibiting the riding of bicycles thereon when authorized by the city council to do so, whenever such additional signs are in place it shall be unlawful to disobey the signs.
- (b) Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing a pedestrian.

Sec 98-160. Riding on specified pedestrian paths prohibited.

The following park paths are for pedestrians only therefore no person shall ride a bicycle upon these park paths:

- (a) Walnut Springs Park pedestrian path from Guadalupe Street to Court Street to Nolte Street to Travis Street.

SECTION TWO. In accordance with Section 3.10 of the Seguin City Charter, this Ordinance shall become effective upon ten (10) days following passage on second reading and shall be published in a newspaper of general circulation.

SECTION THREE. If any clause or provision of this Ordinance shall be deemed to be unenforceable for any reason, such unenforceable clause or provision shall be severed from the remaining portion of the Ordinance, which shall continue to have full force and effect.

SECTION FOUR. City staff is authorized to prepare this Ordinance for submission as a supplement to the Seguin Code of Ordinances.

PASSED AND APPROVED on first reading this 3rd day of May, 2011.

PASSED AND APPROVED on second reading this 17th day of May 2011.


Betty Ann Matthies, Mayor

ATTEST:


Thalia Stautzenberger, City Secretary