

City Clerk File No. Ord. 16-057

Agenda No. 3. G 1st Reading

Agenda No. 4. H 2nd Reading & Final Passage



ORDINANCE OF JERSEY CITY, N.J.

COUNCIL AS A WHOLE
offered and moved adoption of the following ordinance:

CITY ORDINANCE 16-057

TITLE:

**AN ORDINANCE AMENDING CHAPTER 242, (PEACE AND GOOD ORDER)
ARTICLE VI (ROLLER SKATES, IN-LINE SKATES, SKATEBOARDS AND
BICYCLES) OF THE MUNICIPAL CODE TO ESTABLISH REGULATIONS FOR THE
USE OF PUBLICALLY-OWNED BICYCLE PARKING RACKS**

THE MUNICIPAL COUNCIL OF THE CITY OF JERSEY DOES ORDAIN:

WHEREAS, an increasing number of residents and visitors are using bicycles to get around Jersey City; and

WHEREAS, space to park and secure bicycles on publically-owned bicycle parking racks is at a premium; and

WHEREAS, users of commercial bicycles, i.e., those bicycles owned and or operated by a business for the purpose of facilitating deliveries or bicycles used as part of bike share program are monopolizing space at these publically-owned bicycle parking racks; and

WHEREAS, it is in the City's best interest that limits be placed on the use of these publically-owned bicycle parking racks by commercial bicycles so as to allow as many residents and visitors to use them throughout the day as possible.

NOW, THEREFORE, BE IT ORDAINED by the Municipal Council of the City of Jersey City that Chapter 242, (Peace and Good Order) Article VI (Roller Skates, In-Line Skates, Skateboards and bicycles) of the Jersey City Municipal Code be amended to read:

§ 242-9.1. - Definitions; bicycle riders subject to traffic regulations; riding bicycles on business district public sidewalks prohibited; riding bicycles on public sidewalks in areas outside of business districts prohibited, except for minors age nine and under; use of bicycle lanes and public bicycle parking racks regulated; and safety of cyclist.

- A. ~~As used herein~~; "bBicycle" means a vehicle propelled by human power upon which a person may ride, having two tandem wheels, either of which is twelve (12) inches or more in diameter, and may be any vehicle generally recognized as a bicycle though equipped with two front or rear wheels.

A "Commercial Bicycle" is a bicycle owned or operated by (1) a business to deliver food or goods or (2) used as part of "bike share service or program."

- B. ~~As used herein~~; "bBusiness dDistrict" ~~is defined as~~ means an area that is a designated Special Improvement District or is zoned for retail use.

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- C. As used herein, "Bicycle Parking Rack" means a stationary fixture to which a bicycle can be securely attached to prevent theft. It does not include a Bicycle Docking Station.
- A "Bicycle Docking Station" means a stationary fixture to which bicycles used as part of a bike share program are attached and made available for use and where these bicycles must be returned at the end of their use.
- CD. All persons operating bicycles shall have all of the rights and shall obey all applicable laws of the State of New Jersey and ordinances of this city, particularly those regulating traffic. Bicycle riders shall obey the same rules as the drivers of motor vehicles unless inapplicable.
- (1) Any person operating a bicycle within a roadway shall obey the instructions of the official traffic control signs, and other control devices applicable to vehicles, unless otherwise directed by a police officer.
 - (2) No person shall ride or operate a bicycle within a roadway in any direction except that permitted of vehicular traffic traveling on the same side of the roadway, or that permitted in a bike lane.
 - (3) Any person operating a bicycle within a roadway or bike lane shall stop for pedestrians in crosswalks.
- DE. Every person riding a bicycle within a roadway shall ride as near to the right roadside as practicable exercising due care when passing a standing vehicle or one proceeding in the same direction. A bicyclist may move left under any of the following conditions:
- (1) To make a left turn from a left turn lane or pocket;
 - (2) To avoid debris, drains, or other hazardous conditions on the right;
 - (3) To pass a slower moving vehicle;
 - (4) To occupy any available lane when traveling at the same speed as other traffic;
 - (5) To travel no more than two abreast when traffic is not impeded, but otherwise ride in single file.
- EF. It shall be unlawful for any person to operate or ride a bicycle in any of the following places:
- (1) On any public property where signs are posted by the Traffic Engineer prohibiting such use;
 - (2) On private property where a sign prohibiting bicycle riding has been posted by the owner, lessee or person in charge of such property;
 - (3) On sidewalks in business districts;
 - (4) On sidewalks outside of business district areas, except for minors age nine and under.
- FG. Use of bicycle lanes. Whenever a bicycle lane has been established on a roadway, any person operating a bicycle upon the roadway at a speed less than the normal speed of traffic moving in the same direction shall ride within the bicycle lane, except that such person may move out of the lane under any of the following situations:

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- (1) Whenever overtaking or passing another bicycle, vehicle or pedestrian within the lane or about to enter the lane if such overtaking and passing cannot be done safely within the lane.
- (2) When preparing for a turn at an intersection or into a private road or driveway.
- (3) When reasonably necessary to leave the bicycle lane to avoid debris or other hazardous conditions.

~~GH.~~ No person operating a bicycle shall leave a bicycle lane until the movement can be made with reasonable safety and then only after giving an appropriate signal.

~~HI.~~ In addition to bicyclists, the following are permitted to use bicycle lanes;

- (1) Individuals using roller blades, scooters, and skateboards; and
- (2) Individuals using motorized wheelchairs with an orange safety flag at least five feet above the street level; and
- (3) Bicyclists with attached trailers for children with an orange safety flag attached to the rear of the portage vehicle at least five feet above the street level.

~~IJ.~~ Equipment. It shall be unlawful for the driver of the bicycle to wear more than one earphone attached to an audio device while operating a bicycle.

~~JK.~~ Carry Articles. No person operating a bicycle shall carry any package device, or article which prevents the rider from keeping both hands upon the handles bars.

~~KL.~~ Clinging to moving motor vehicles is prohibited.

~~LM.~~ Lamps and equipment on bicycles.

- (1) Bicycles in use when dark shall be equipped with a lamp on the front which shall omit a white light visible from a distance of at least five hundred (500) feet to the front and with a red reflector on the rear of a type which shall be visible from fifty (50) feet to three hundred (300) feet to the rear. A lamp omitting a red light visible from distance of five hundred (500) feet to the rear may be used in addition to the red reflector.
- (2) Bicycles shall be equipped with a brake which will enable the operator to make the braked wheel skid on dry, level, clean pavement.
- (3) Bicycles shall be equipped with a bell to serve as audible signal to vehicles, pedestrians, and other bicyclists.

~~N.~~ No Commercial Bicycle shall be permitted to use any publicly-owned Bicycle Parking Rack for a period of more than two (2) consecutive hours. Any owner of a Commercial Bicycle found to be in violation of this Ordinance shall be subject to a minimum fine of one hundred dollars (\$100) with a recommended fine of one thousand dollars (\$1,000).

I. All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

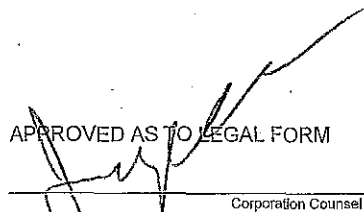
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- II. This Ordinance shall be part of the Jersey City Code as though codified and fully set forth therein. The City shall have this Ordinance codified and incorporated in the official copies of the Jersey City Code.
- III. This Ordinance shall take effect at the time and in the manner as provided by law.
- IV. The City Clerk and the Corporation Counsel be and hereby are authorized and directed to change any chapter numbers, article numbers and section numbers in the event the codification of this Ordinance reveals that there is conflict between those numbers and the existing code.

Note: All new material is underlined; words ~~struck through~~ are omitted.

For purposes of advertising only, new matter is **boldface** and repealed by *italics*.

APPROVED AS TO LEGAL FORM

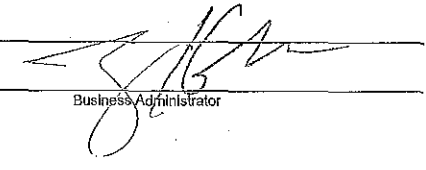


Corporation Counsel

Certification Required ☐
Not Required ☐

APPROVED: _____

APPROVED: _____



Business Administrator

ORDINANCE FACT SHEET – NON-CONTRACTUAL

This summary sheet is to be attached to the front of any Ordinance that is submitted for Council consideration. Incomplete or vague fact sheets will be returned with the Ordinance.

Full Title of Ordinance

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Initiator

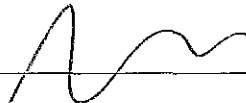
Department/Division	Office of the Mayor	Office of the Chief of Staff
Name/Title	Mark Albiez	Chief of Staff
Phone/email	201-547-6544	malbiez@jcnj.org

Note: Initiator must be available by phone during agenda meeting (Wednesday prior to council meeting @ 4:00 p.m.)

Ordinance Purpose

This Ordinance will make it unlawful to secure a commercial bike to a publically-owned bicycle parking rack for two (2) consecutive hours. This Ordinance also imposes a minimum fine for this violation and provides a recommended fine as well.

I certify that all the facts presented herein are accurate.



Mark Albiez
Chief of Staff

March 14, 2016
Date

Ordinance of the City of Jersey City, N.J.



ORDINANCE NO. Ord. 16.057

TITLE: 3.G MAR 23 2016

A.H. APR 13 2016

An ordinance amending Chapter 242, (Peace and Good Order) Article VI (Roller Skates, In-line Skates, Skateboards and Bicycles) of the Municipal Code to establish regulations for the use of publically-owned Bicycle Parking Racks.

RECORD OF COUNCIL VOTE ON INTRODUCTION MAR 23 2016 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

RECORD OF COUNCIL VOTE TO CLOSE PUBLIC HEARING APR 13 2016 9-0											
Councilperson <u>WATTERMANN</u> moved, seconded by Councilperson <u>OSBORNE</u> to close P.H.											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

SPEAKERS:

MONIQUE K. ANDREWS
JAYSON BURG

RECORD OF COUNCIL VOTE ON AMENDMENTS, IF ANY											
Councilperson _____ moved to amend* Ordinance, seconded by Councilperson _____ & adopted											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI				YUN				RIVERA			
RAMCHAL				OSBORNE				WATTERMANN			
BOGGIANO				COLEMAN				LAVARRO, PRES.			

RECORD OF FINAL COUNCIL VOTE APR 13 2016 9-0											
COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.	COUNCILPERSON	AYE	NAY	N.V.
GAJEWSKI	✓			YUN	✓			RIVERA	✓		
RAMCHAL	✓			OSBORNE	✓			WATTERMANN	✓		
BOGGIANO	✓			COLEMAN	✓			LAVARRO, PRES.	✓		

✓ Indicates Vote

N.V.--Not Voting (Abstain)

Adopted on first reading of the Council of Jersey City, N.J. on MAR 23 2016
Adopted on second and final reading after hearing on APR 13 2016

This is to certify that the foregoing Ordinance was adopted by the Municipal Council at its meeting on APR 13 2016

Robert Byrne
Robert Byrne, City Clerk

*Amendment(s):

APPROVED:

Rolando R. Lavarro, Jr.
Rolando R. Lavarro, Jr., Council President

Date APR 13 2016

APPROVED:

Steven M. Fulop
Steven M. Fulop, Mayor

Date APR 15 2016
Date to Mayor APR 14 2016