

March 17, 2022

SAFETY COMMITTEE

March 21, 2022

Council Chambers

5:45 P.M.

Following Service Committee

Committee and Council Meetings can be viewed by accessing YouTube

AGENDA

1. Consider **Ordinance No. 22-14** AN ORDINANCE AMENDING CHAPTER 475 OF THE CODIFIED ORDINANCES OF THE CITY OF NEWARK, OHIO RELATIVE TO BICYCLES WITHIN PORTIONS OF THE MUNICIPAL CORPORATION
2. Other items at the discretion of the chair.

BY _____

**AN ORDINANCE AMENDING CHAPTER 475 OF THE CODIFIED
ORDINANCES OF THE CITY OF NEWARK, OHIO
RELATIVE TO BICYCLES WITHIN PORTIONS OF THE MUNICIPAL
CORPORATION**

WHEREAS, the Codified Ordinances of the City of Newark currently provide rules and regulations for the operation of bicycles within the City of Newark, Ohio; and,

WHEREAS, changes in zoning and use designation for certain areas of the City require a review of all applicable ordinances potentially in conflict therewith; and,

WHEREAS, the creation of a Designated Outdoor Refreshment Area in the Downtown area has changed the nature of the use of such area and necessitates consideration of other safety considerations for the affected areas; and,

WHEREAS, the riding of bicycles, skateboards, tricycles, or other toy vehicles in certain areas of the downtown specifically as it relates to the Designated Outdoor Refreshment Area raises a variety of health and safety concerns that need to be addressed so as to ensure the safety of all citizens and visitors to the Downtown area: and,

WHEREAS, upon review of the current Chapter 475 of the Codified Ordinances, a revision of this chapter was needed to assist law enforcement with more efficient and effective means to enforce said section; and,

WHEREAS, this matter was considered by the Safety Committee of this Council who passed this Ordinance on to the full Council for consideration.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF NEWARK, COUNTY OF LICKING, STATE OF OHIO, THAT:**

SECTION ONE: Chapter 475 of the Codified Ordinances of the City of Newark, Ohio is hereby amended to include amended Section 475.141 and 475.22 to read as set forth below:

**CHAPTER 475: BICYCLES, MOTORIZED BICYCLES, AND
MOTORCYCLES GENERALLY**

**475.141 ADDITIONAL REGULATIONS THE OPERATION OF BICYCLES,
TRICYCLES, SKATEBOARDS, AND OTHER TOY VEHICLES ON**

SIDEWALKS WITHIN DESIGNATED OUTDOOR REFRESHMENT
AREAS AND IN OTHER AREAS OF THE CITY

- (a) No person shall ride or otherwise operate a bicycle, skateboard, tricycle, or other toy vehicle at any time or for any reason upon a sidewalk in any Designated Outdoor Refreshment Area (DORA) within the City. Additionally, no person shall ride or otherwise operate a bicycle, skateboard, tricycle, or other toy vehicle upon a sidewalk in any other area of the City wherein the number of commercial establishments creates a substantial volume of pedestrian traffic.
- (b) The Director of Public Service is hereby authorized to design and erect signs as needed to identify the Designated Outdoor Refreshment Areas wherein it is prohibited to ride or otherwise operate a bicycle, skateboard, tricycle, or other toy vehicle upon a sidewalk sufficient to give reasonable notice to all persons of such prohibition.
- (c) No person over the age of twelve (12) years shall ride or otherwise operate a bicycle, SKATEBOARD, OR tricycle upon any sidewalk within the City if it is safe to ride or otherwise operate such bicycle, SKATEBOARD, OR tricycle in the adjacent roadway in conformity with existing rules for operation thereof.
- (d) WHENEVER ANY PERSON OVER THE AGE OF (12) IS NECESSITATED BY SAFETY OR BY ORDINANCE TO RIDE OR OTHERWISE OPERATE A BICYCLE, SKATEBOARD, TRICYCLE, OR OTHER TOY VEHICLE UPON A SIDEWALK WITHIN THE CITY, SUCH PERSON SHALL YIELD THE RIGHT-OF-WAY TO ANY PEDESTRIAN AND SHALL GIVE AUDIBLE SIGNAL BEFORE OVERTAKING FROM EITHER DIRECTION.
- (e) Except as otherwise provided in this division, whoever rides or otherwise operates a bicycle, SKATEBOARD, tricycle, OR OTHER TOY VEHICLE in a manner that is prohibited under divisions (a), (c), or (d) of this section is guilty of a minor misdemeanor. A VIOLATION OF THIS SECTION IS A MISDEMEANOR OF THE FOURTH DEGREE IF THE OFFENDER PERSISTS IN PROHIBITED CONDUCT UNDER DIVISION (A), (C), OR (D) OF THIS SECTION AFTER A REASONABLE REQUEST TO DESIST. A Complaint and Summons shall be issued to such person alleged to be in violation hereof on a form designated and approved by the Director of Public Safety.

475.22 IMPOUNDING OF BICYCLES, SKATEBOARD TRICYCLE, OR
OTHER TOY VEHICLE

ANY BICYCLE, SKATEBOARD, TRICYCLE, OR OTHER TOY VEHICLE
OPERATED BY ANY PERSON IN VIOLATION OF ANY OF THE
PROVISIONS OF THIS CHAPTER MAY BE SEIZED BY ANY MEMBER OF
THE POLICE DEPARTMENT AND BE IMPOUNDED AT THE POLICE

DEPARTMENT FOR A PERIOD OF 60 DAYS. IN THE EVENT THAT A BICYCLE SO IMPOUNDED IS NOT CLAIMED BY THE OWNER OR OPERATOR OF THE SAME OR BY A PARENT OR GUARDIAN OF SUCH OWNER OR OPERATOR, IT SHALL BE SOLD BY THE CHIEF OF POLICE AND THE PROCEEDS OF SUCH SALE SHALL BE DISPOSED OF IN THE MANNER PROVIDED BY LAW.

SECTION TWO: This Ordinance shall become effective upon the earliest date permitted by Article 4.07 of the Charter of the City of Newark, Ohio.

ADOPTED this _____ day _____, 2022.

President of Council

ATTEST: _____
Clerk of Council

Date filed with Mayor: _____

Date approved by Mayor: _____

_____, Mayor

Approved as to form: _____

Tricia M. Moore
Director of Law