

Chapter 10

BICYCLES

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HISTORY: Article I adopted by the Mayor and Borough Council of the Borough of Seaside Park 6-22-1972 as Ordinance No. 693. Amended 12-20-2001 by Ord. No. 1291.

Article II adopted 7-10-1975 as Ordinance No. 724. Amended 12-20-2001 by Ord. No. 1291.

Article III adopted 5-27-1976 as Ordinance No.736.

GENERAL REFERENCES: See Chapter 76 (Vehicle and Traffic).

Be it ordained by the Mayor and Borough Council of the Borough of Seaside Park, in the County of Ocean and State of New Jersey, as follows:

**ARTICLE I
Condition and Operation Regulations
Adopted 6-22-1972 as Ord. No. 693**

§10-1. Lights and reflectors on bicycles.
Every bicycle when in use at nighttime shall be equipped with a lamp on the front, which shall emit a white light visible from a distance of at least five hundred (500) feet to the front, and with a lamp on the rear, which shall emit a red light visible from a distance of at least five hundred (500) feet to the rear. In addition to the red lamp, a red reflector may be mounted on the rear, of a type approved by the division, which shall be visible from all distances from fifty (50) feet to three hundred (300) feet to the rear when directly

in front of lawful upper beams of head lamps on a motor vehicle.

§10-2. Audible signal.
No person shall operate a bicycle unless it is equipped with a bell or other device capable of giving a signal audible for a distance of at least one hundred (100) feet, except that a bicycle shall not be equipped with, nor shall any person use upon a bicycle, any siren or whistle.

§10-3. Brake required.
Every bicycle shall be equipped with a brake which will enable the operator to make the braked wheels skid on dry, level, clean pavement.

§10-4. Hand and foot position; carrying others.
A person propelling or riding on a bicycle shall not ride other than upon or astride a permanent and regular seat

attached thereto, nor shall he ride with his feet removed from the pedals or with both hands removed from the handlebars, nor shall he practice any trick or fancy riding in a street. No bicycle shall be used to carry more persons at one time than the number for which it is designed and equipped.

§10-5. Hitching onto vehicles prohibited.

No person riding upon any bicycle, coaster, skates, sled or toy vehicle shall attach the same or himself to any streetcar or vehicle upon a roadway, and no operator of any streetcar or vehicle shall knowingly allow any person riding upon any bicycle, coaster, skates, sled or toy vehicle to attach the same or himself to the streetcar or vehicle.

§10-6. Rights and duties of bicyclers.

- A. Every person riding a bicycle upon a roadway shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by Chapter 4 of Title 39 of the New Jersey Revised Statutes and all supplements thereto, except as to those provisions thereof which by their nature can have no application.
- B. Regulations applicable to bicycles shall apply whenever a bicycle is operated upon any highway or upon any path set aside for the exclusive use of bicycles subject to those exceptions stated herein.

§10-7. Keeping to right; passing; paths.

- A. Every person operating a bicycle upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.
- B. Persons riding bicycles upon a roadway shall ride in single file except on paths or parts or roadways set aside for the exclusive use of bicycles.
- C. Wherever a usable path for bicycles has been provided adjacent to a roadway, bicycle riders shall use such path and shall not use the roadway.

§10-8. State laws applicable.

The provisions of any state laws regarding the use and operation of bicycles are herewith made part of this ordinance by reference and without inclusion therein at length, and any violation thereof is hereby constituted a violation of this section.

§10-9. Persons who rent, hire or loan bicycles.

All persons who shall rent, hire or loan bicycles shall see to it that such vehicles are maintained in a safe condition and shall instruct the persons using said bicycles as to the regulations provided by this ordinance as to their operation, or they shall be subject to the penalties provided by this ordinance.

§10-10. Violations and penalties.

Amended 12-20-2001 by Ord. No. 1291

- A. The intent of this ordinance is not the prosecution of children, but the education of children and adults for their own and the community's welfare. Failure to comply with or the violation of any of the provisions of this ordinance or with the safety regulations promulgated by the Police Department, by a juvenile operator, may subject the operator to the authority having jurisdiction of juvenile offenders. In addition, upon commission of a second offense or violation of this ordinance, the Police Department may take temporary custody of the bicycle being operated by such juvenile and return said bicycle to the custody of his parent or guardian.
- B. Any person eighteen (18) years of age or older who violates the provisions of this ordinance may be subject to a fine not to exceed one thousand (\$1,000.) dollars or imprisonment for a term not exceeding ninety (90) days, or both, in the discretion of the Magistrate before whom such person may be convicted.
- C. Any person, persons or corporation engaged in renting or hiring bicycles, which bicycle is operated in a manner which shall either be determined unsafe or is operated in a manner in violation of this ordinance, shall be subject to a penalty not to exceed one thousand (\$1,000.) dollars or imprisonment for a term not exceeding ninety (90) days, or both, in the discretion of the Magistrate before whom such person maybe convicted.

§10-11. When effective.

This ordinance shall take effect upon publication after final passage in the manner provided by law.

**ARTICLE II
Use on Boardwalks**

Adopted 7-10-1975 as Ord. No. 724

§10-12. Purpose.

The purpose of this ordinance is to restrict the use of bicycles to times and areas which will reduce the possibility of injury to persons who frequent the borough boardwalk areas.

§10-13. Operation on boardwalk restricted.

Amended 12-20-2001 by Ord. No. 1291

- A. During the period from May 15 through September 15, no person shall be permitted to operate a bicycle at any time upon the boardwalk between N Street and Porter Avenue, unless he or she does so between the hours of 6:00 a.m. and 9:00 a.m.
- B. During the period from May 15 through September 15, no person shall operate a bicycle upon the

portion of the boardwalk south of N Street unless he shall do so between 6:00 a.m. and 11:00 a.m.

C. The penalty provision for Article II shall be as set forth in Section 10-10 as amended.

§10-14. Repealer.

This ordinance hereby repeals any inconsistent ordinance or ordinances, part or parts thereof.

§10-15. When effective.

This ordinance shall take effect immediately upon its final passage and publication as required by law.

**ARTICLE III
Motorized Bicycles**

Adopted 5-27-1976 as Ord. No. 736

§10-16. Purpose.

The purpose of this ordinance is to eliminate the use of motorized bicycles or "mo-peds" upon all public properties, excluding streets, within the Borough of Seaside Park. It has been determined by this governing body that these motorized bicycles are a danger to pedestrian traffic upon certain public properties within the borough. This danger arises due to the ability of these instrumentalities to attain sustained speeds of twenty-five (25) miles per hour and, therefore, to endanger individual pedestrians frequenting these public areas. This governing body is establishing this ordinance in order to effectively regulate these particular areas and to protect the public health, safety and welfare of the citizens and visitors of this municipality.

§10-17. Definitions.

As used in this ordinance, the following terms shall have the meanings indicated:

MOTORIZED BICYCLE — A pedal bicycle having a helper motor characterized in that the maximum piston displacement is less than fifty (50) cubic centimeters, rated no more than one and five-tenths (1.5) brake horsepower and capable of a maximum speed of no more than twenty-five (25) miles per hour.

§10-18. Prohibitions.

Motorized bicycles are hereby prohibited from public properties, including but not limited to the following areas within the Borough of Seaside Park: boardwalk, sidewalks, public playgrounds and recreational areas and municipal properties along the bay front, excluding streets.

§10-19. Violations and penalties.

The penalty provisions provided in §10-10 of Chapter 10, Bicycles, of the Code of the Borough of Seaside Park is hereby adopted.

§10-20. Repealer.

This ordinance repeals any inconsistent ordinance or ordinances, part or parts thereof.

§10-21. When effective.

This ordinance shall take effect immediately upon its final passage and publication as provided by law.