

## ORDINANCE

An Ordinance to amend Section 10.830 of the Manitowoc Municipal Code regulating Bicycles.

The Mayor and Common Council of the City of Manitowoc do ordain as follows:

**Section 1.** Section 10.830 is amended to read as follows:

**“10.830 Bicycles.**

(1) Definitions.

...

**Registration tag sticker** means a ~~metal plate or~~ sticker indicating that a bicycle is registered.

...

**(2) Registration Required.**

(a) No person, who resides within Manitowoc, shall ride or propel a bicycle on any street or upon any public path set aside for the exclusive use of bicycles unless such bicycle has been registered and a registration ~~plate and/or~~ sticker is attached thereto, as provided herein.

(b) ~~At the time of the issuance of any such registration plate or sticker as herein provided, the applicant shall pay a registration fee.~~ Registration ~~tags stickers~~ issued in accordance with this section shall be attached to the bicycle immediately after issuance and shall not be removed during the period for which it was issued unless ownership is transferred, or the bicycle is dismantled and no longer operated upon any street in Manitowoc. Such registration sticker shall be placed on the seat tube directly below the seat in such manner to be visible from the left-hand side of the bicycle.

(c) This section shall apply to all residents of Manitowoc, and to such nonresidents, who operate bicycles upon the streets of Manitowoc habitually or frequently. It shall not apply to casual travelers or tourists passing through Manitowoc on their bicycles.

(d) All bicycles must be registered within 10 days of purchase.

(e) No person shall intentionally take or ride a bicycle without the consent of the owner.

**(3) Application, Issuance, and Period for Bicycle Registration.**

(a) Application. Bicycle registration applications and registration stickers shall be obtained through the Manitowoc Police Department. Registration fees shall be paid at the time of registration sticker issuance. ~~Application for a bicycle registration plate and/or sticker shall be made upon a form provided by the Manitowoc Police Department and shall be made to the Manitowoc Fire Department.~~

(b) Period of Registration. ~~The registrations of all bicycles registered with the City of Manitowoc prior to the effective date of the ordinance codified in this section shall expire at 12:00 a.m. on March 31, 2000, unless otherwise canceled as provided in this section. The bicycles registered after the effective date of the ordinance codified in this section shall be effective from April 1, 2000, and shall expire December 31, 2005. Registrations on or after January 1, 2006, shall be effective for six years unless otherwise canceled as provided herein. Regardless of when registrations are obtained during any registration period, they shall expire at 12:00 a.m. on the last day of that registration period. (For example, a registration obtained on January 5, 2002, shall expire at 12:00 a.m. on December 31, 2005.)~~ Upon receiving a proper application, the Police Department shall issue a registration which will be valid for as long as the applicant owns the bicycle. If ownership of the bicycle is transferred, the registration sticker shall remain with the licensee and may be replaced upon a payment of \$1.00

(c) Issuance and Recordkeeping. The licensing authority shall not issue a registration for any bicycle when it knows or has reasonable ground to believe that the applicant is not the owner or entitled to the possession of such bicycle. The Police Department shall keep a record of the number of each registration, the date issued, the name and address of the person to whom issued, the number on the frame of the bicycle for which issued, and a record of all bicycle registration fees collected. Registration form and registration stickers shall be serially numbered to coincide with each other. If a bicycle does not have a serial number and if proof of ownership can be proven, the Police Department shall assign one to said bicycle.

~~(d)~~ (d) Costs. Cost of registration shall be a fee of \$2.00 ~~for each six-year period. A transfer fee of \$1.00 shall be charged for the transfer of registration to another bicycle or for the replacement of a license plate or registration sticker during a registration period.~~ The Chief of Police or his designee may waive the bicycle registration fee and may offer free bicycle registration events at his discretion.

~~(d)~~ (d) Notice. The Manitowoc Police Department shall use its best effort to notify registrants of the expiration of their registrations, by public notice through local media mail at least 60 days prior to the end of any registration period.

~~(4) Inspection of Bicycle.~~ The licensing authority, or any officer assigned such responsibility, shall inspect each bicycle before registering the same and shall refuse registration for any bicycle which is determined to be in unsafe mechanical condition

~~(4)-(5) Issuance of License— Failure to Obtain License.~~ Upon discovering a bicycle which is not licensed as required hereunder, the Police Department shall first attempt to notify the owner of the bicycle either in person or in writing that the bicycle must be properly licensed immediately. If the bicycle is not properly licensed within five days, a citation shall be issued to the owner. If the owner continues to operate the bicycle without a proper license after a citation has been issued, the Police Department is authorized to impound the unlicensed bicycle.

~~(a) The licensing authority, upon receiving proper application, is authorized and directed to issue a bicycle registration which will be valid for as long as the applicant owns the bicycle. If ownership of the bicycle is transferred, the license plate or sticker shall remain with the licensee and may be transferred to another bicycle upon a payment of \$1.00.~~

~~(b) The licensing authority shall not issue a registration for any bicycle when it knows or has reasonable ground to believe that the applicant is not the owner or entitled to the possession of such bicycle.~~

~~(c) The licensing authority shall keep a record of the number of each registration, the date issued, the name and address of the person to whom issued, the number on the frame of the bicycle for which issued, and a record of all bicycle registration fees collected. Registration form and registration plates and/or stickers shall be serially numbered to coincide with each other.~~

~~(d) If a bicycle does not have a serial number and if proof of ownership can be proven, the Police Department shall assign one to said bicycle.~~

~~(6) Attachment of Registration Plate and Sticker.~~

~~(a) The licensing authority, upon issuing a bicycle registration, shall also issue a registration plate and/or sticker bearing the registration number assigned to the bicycle, and the name of the City.~~

~~(b) Such registration plate shall be firmly attached to the rear license holder or frame of the bicycle for which issued in such position as to be plainly visible from the rear. The registration sticker shall be placed on the seat tube directly below the seat in such manner to be visible from the left hand side of the bicycle.~~

~~(c) No person shall remove a registration plate from a bicycle during the period for which issued except upon a transfer of ownership or in the event the bicycle is dismantled and no longer operated upon any street in Manitowoc.~~

~~(8) Transfer of Ownership. Within 10 days after any registered bicycle has changed ownership or been dismantled and taken out of service or operation, the person in whose name the bicycle has been registered shall report such information to the Police Department. If such person acquires a different bicycle to which such person desires to transfer the registration from a previous bicycle, such person shall make application for the transfer within 10 days after acquisition of the new bicycle.~~

~~Where ownership of a bicycle is changed, the new owner shall be required to register the bicycle as provided for hereunder. Where a bicycle is dismantled and taken out of service or operation, the registration shall either be transferred as provided for hereunder or shall be canceled and the registration plate and/or sticker returned to the Police Department.~~

~~(9) Lost Registration Plate. In the event that an owner shall lose the registration tag or same should be destroyed or stolen, he shall report same immediately to the Fire Department, which shall then issue to such owner a new registration tag at a cost of \$1.00 to such owner.~~

**(5) (10) Alteration of Registration Plates Stickers.** It shall be unlawful for any person to alter or counterfeit any registration ~~tag~~ **sticker** issued in conformity with this section.

**Section 2.** This ordinance shall take effect the day after publication.

INTRODUCED \_\_\_\_\_ ADOPTED \_\_\_\_\_ APPROVED \_\_\_\_\_

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Justin M. Nickels, Mayor

**Fiscal Impact:** \$0- minimal

**Funding Source:** n/a

**Finance Director Approval:**

**Approved as to form:**

This resolution was drafted by Elizabeth Majerus, Assistant City Attorney