

ORDINANCE NO. 22 - _____

**AN ORDINANCE
AMENDING CHAPTER 4 (BICYCLES, SKATEBOARDS,
ROLLER SKATES AND IN-LINE SKATES) OF
TITLE 11 (MOTOR VEHICLES AND TRAFFIC) OF
THE NAPERVILLE MUNICIPAL CODE**

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers that:

SECTION 1: Chapter 4 (Bicycles, Skateboards, Roller Skates and In-Line Skates) of Title 11 (Motor Vehicles and Traffic) of the Naperville Municipal Code is hereby amended by deleting the stricken language and by adding the underlined language as follows:

TITLE 11 – MOTOR VEHICLES AND TRAFFIC

CHAPTER 4 - BICYCLES, SKATEBOARDS, ROLLER SKATES AND IN-LINE SKATES

SECTION:

11-4-1: - DEFINITIONS:

Whenever in this Chapter the following terms are used, they shall have the meanings respectively ascribed to them in this Section:

BICYCLE:	Every device propelled by human power upon which any person may ride, having two (2) tandem wheels except scooters and similar devices.
BICYCLE LICENSE:	A metal plate or tag issued by the City bearing a license number.
LICENSEE:	Any person who procures from the City a license for a bicycle, together with a registration card accompanying same.
RENTAL AGENCY:	Any person engaged in the business of offering for rental and renting bicycles for hire by the public in the City.

ROLLER SKATES:	Any device worn on the foot with wheels and which is propelled by human power. This definition includes devices commonly known as in-line skates.
SERIAL NUMBER:	An identifying number permanently stamped or cast on a bicycle's frame.
SKATEBOARD:	A device with two (2) or more tandem axles and a combination of wheels connected by a platform designed for standing and which is propelled by human power.

11-4-2: - REGISTRATION AND LICENSE REQUIREMENTS: [RESERVED]

- ~~1. Registration; License: It shall be unlawful for any person to operate a bicycle upon any street, sidewalk or other public place in the City without having first registered such bicycle and securing a license therefor.~~
- ~~2. Application: Application for registration and license for a bicycle shall be made by the owner of the bicycle upon forms furnished by the City Police Department. Such application shall be signed by the owner, provided that the owner's parent or legal guardian shall also sign the application if the owner is under eighteen (18) years of age. The application shall state the full name and address of the owner, the name of the manufacturer, the serial number of the frame thereof, the approximate date when the owner acquired title to the bicycle, and the name and address of the person from whom the bicycle was acquired.~~

~~The Police Department shall, upon receiving such application and license fee, issue to the owner of the bicycle a registration card which shall contain the name and address of the owner and the description of the bicycle contained in the application, and also issue to the owner a bicycle license which shall contain the words "Naperville" and the number of the license and indicate the year of issuance. The applicant shall thereupon affix their signature to the registration card. The registration card and the bicycle license shall have the same number. The bicycle license shall be affixed to the bicycle in a way that the bicycle license will be clearly visible from the rear.~~

- ~~3. Term And License Fee: The term of this license shall be three (3) years commencing as of May 1 of the year of application and expiring April 30 three (3) years thereafter. Licenses issued after January 1 and before May 1 in any year shall be effective as of May 1 of such year. The license fee to be paid to the Police Department shall be one dollar (\$1.00).~~

11-4-3: LIMITATIONS; BICYCLES, SKATEBOARDS, ROLLER SKATES AND IN-LINE SKATES:

1. The rules for riding and operating bicycles shall be as set forth in provisions of the Illinois Vehicle Code pertaining to bicycles adopted by reference by Section 11-1-1 of this Code unless otherwise provided herein.
2. No bicycles shall be operated upon any sidewalk in the Central Business District or shopping center within the City.
3. No skateboards, in-line roller skates or roller skates shall be used, operated, or propelled upon any sidewalk or public way in the Central Business District or shopping center of the City, the Naperville Riverwalk, parks under the jurisdiction of the City, any property owned or operated by the City, including commuter train stations, or on property owned by the public library.
4. The Director of the Department of Public Works of the City shall post official traffic control devices prohibiting such operations in accordance with Section 11-1:11-1512 of this Code.
5. No skateboards, in-line skates or roller skates shall be used, operated or propelled upon any private property where there is a written agreement to such effect between the City and the property owner.
6. Owner(s) of private property having a written enforcement agreement with the City shall post appropriate signs prohibiting such operation, which signs shall be subject to approval by the Director of the Department of Public Works.
7. Each violation of this Section of the City Municipal Code shall be punishable by a fine of not less than seventy-five dollars (\$75.00).
8. The following persons shall be exempt from the provisions of this Section while in the discharge of their duties:
 - 8.1. Peace officers;
 - 8.2. City of Naperville Community Service Officers (CSO).

11-4-4: - RENTAL AGENCIES:

- ~~1. Registration: It shall be unlawful for any person to rent or offer to rent any bicycle in the City without first complying with the provisions of Section 11-4-2 of this Chapter relating to registration and licensing of bicycles.~~
2. Equipment: Bicycles offered for rent by a rental agency shall be equipped by the rental agency with the lights and other equipment required by this Chapter and shall be kept in good and safe working condition. Rental agencies shall comply with all the provisions of this Chapter, and shall be responsible for the condition of the bicycle they rent.

11-4-5: - DEALERS:

1. Report: Any person engaged in the business of selling, buying or trading new or used bicycles within the City is hereby required to make a written report to the Chief of Police at the end of each month, or more often if requested by them. Such report shall contain the following information:
 - 1.1. The name and address of each person to whom and from whom a bicycle was sold, purchased or traded during the period covered by the report, not including, however, purchases of new bicycles from regularly established jobbers or wholesalers.
 - 1.2. A description of the bicycle involved in each such transaction consisting of the name of the manufacturer, and the serial number of the frame, ~~and the license number of the bicycle if the bicycle has been registered and a license issued therefor to the owner by the City.~~

11-4-6: - OTHER PROVISIONS:

1. ~~Removal Of Serial Number Or License Plate:~~ It shall be unlawful for any person wilfully or maliciously to remove, destroy, mutilate or alter the serial number of any bicycle licensed hereunder; ~~or to remove, destroy, mutilate or alter any bicycle license or registration card during the time in which the bicycle license or registration card is in force.~~ The Chief of Police may authorize the stamping of numbers on the frame of a bicycle in a legible manner, for identification purposes, upon which no serial number can be found, or upon which the serial number is illegible or insufficient for identification purposes.
2. Use Of Bicycle Without Consent Of Owner: It shall be unlawful for any person to use or operate any bicycle within the City without the consent of the owner of the bicycle.
3. Bicycle Without Serial Number: It shall be unlawful for any person to purchase, receive in trade, or otherwise acquire any bicycle from which the serial number on the frame has been removed, destroyed, mutilated or altered, without first reporting the same to the Police Department.

SECTION 2: This Ordinance shall be in full force and effect from and after its approval.

ADOPTED this _____ day of _____, 2022.

AYES:

NAYS:

ABSENT:

APPROVAL this _____ day of _____, 2022.

Steve Chirico
MAYOR

ATTEST:

Pam Gallahue, Ph.D.
CITY CLERK