

DRAFT PROPOSED LOCAL LAW # W-2010
TO AMEND THE VILLAGE CODE ON
BICYCLES, ENACTING AN AMENDED
SECTION ENTITLED, "BICYCLES,
SKATEBOARDS, ROLLERBLADES AND
OTHER WHEELED DEVICES", TO UPDATE
RULES AND REGULATIONS FOR SUCH
DEVICES, AND TO PROHIBIT THE USE OF
BICYCLES, SKATEBOARDS AND
ROLLERBLADES ON THE SIDEWALKS IN
THE DOWNTOWN COMMERCIAL AREA.

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BE ENACTED BY THE BOARD OF TRUSTEES OF THE VILLAGE OF MAMARONECK
AS FOLLOWS:

Section 1. Enactment

The current language for Chapter 112, BICYCLES is deleted in its entirety, and a new Chapter 112 entitled, "BICYCLES, SKATEBOARDS, ROLLERBLADES AND OTHER WHEELED DEVICES" is enacted as follows:

Chapter 112, BICYCLES AND OTHER WHEELED DEVICES

§ 112-1. Legislative Findings and Intent.

The Village of Mamaroneck finds that there are benefits to community members utilizing bicycles for transportation and recreation in and around the Village of Mamaroneck. The following goals and objectives are hereby identified:

1. Bicycling is an environmentally friendly, efficient, non-polluting and inexpensive means of transportation and recreation for people of all ages, as appropriate, and such transportation and recreation are a vital part of the Village of Mamaroneck community. This includes young children properly supervised by parents or other responsible adults, and people of all ages.

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2. Bicycles are used for recreation and neighborhood transportation, by commuters traveling to and from different transportation hubs such as the train station, and for other similar uses such as riding to and from local destinations.
3. There are currently provisions under NYS Vehicle and Traffic Law, specifically Article 34 of the Vehicle and Traffic Laws, OPERATION OF BICYCLES AND PLAY DEVICES which establish rules and regulations regarding safe operation of bicycles, and require use of helmets by bicyclists at and below certain ages, which the Village hereby acknowledges and enforces.
4. The Village of Mamaroneck is seeking to establish updated rules and regulations for safe bicycling and parking of bicycles in the Village, with specific rules regarding the operation and parking of bicycles along Mamaroneck Avenue between Halstead Avenue and Boston Post Road (U.S. Route 1) hereinafter referred to as the "Downtown business district", in coordination with the Village Manager's Office, the Department of Public Works, the Building Department, and the Police Department. The Village's goal is to provide for safe and adequate use of bicycles and other wheeled devices such as skateboards and rollerblades along public thoroughfares and the parking of bicycles on public areas in a manner that allows pedestrians, including the handicapped, to continue to have safe and full access along sidewalks, as well as to and from cars and other vehicles.

§ 112-2. Operation and equipment standards.

Each person operating a bicycle in the Village of Mamaroneck is required to comply with all applicable vehicle and traffic laws, as more fully delineated and set forth under New York State

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Vehicle and Traffic Law Article 34 – OPERATION OF BICYCLES AND PLAY DEVICES.

Additional rules shall apply in the Village of Mamaroneck, as follows:

A. No person shall ride a bicycle, skateboard, non-motorized scooter, or use rollerblades or other wheeled device upon the sidewalk. In such locations, bicycles may be walked along the sidewalk.

B. No person shall ride a bicycle, skateboard, non-motorized scooter, or use rollerblades or other wheeled device upon any other public sidewalk within the Village of Mamaroneck in a manner that is unsafe for pedestrians. C. No person shall secure a bicycle upon a public street or sidewalk in the Downtown business district other than in a bike rack or in bicycle parking locations as designated by the Village of Mamaroneck under the direction of the Village Manager.

Every bicycle, skateboard, non-motorized scooter, or rollerblades or other wheeled device used on a public highway shall be equipped, maintained and operated in compliance with the Vehicle and Traffic Law of the State of New York.

E. Impoundment. A bicycle may be impounded for abandonment, which is defined as being left in a location that is on village-owned property, on a public sidewalk or public right-of-way for more than seven (7) consecutive days. A bicycle may be retrieved from impoundment by an owner upon proof of valid ownership by paying a fee to the Village of fifty dollars (\$50).

§ 112-3. Penalties for offenses. [Amended 3-23-1987 by L.L. No. 5-1987, effective 4-2-1987]

A. Any person, firm or corporation who violates any of the provisions hereof shall be liable to a forfeiture to the Village of Mamaroneck in a sum not to exceed twenty five dollars (\$25) for the first violation within one year, a sum not to exceed fifty dollars (\$50) for the second violation within one year, and a sum not to exceed one hundred dollars (\$100) for the third or more violation(s) within one year.

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Deleted: Skateboards must be carried in the commercial Downtown business district area of Mamaroneck Avenue between Halstead Avenue and Boston Post Road (U.S. Route 1) while walking on the sidewalk. ¶

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Deleted: Young children under adult supervision may be allowed to operate a tricycle or bicycle, except in commercial business district areas, on sidewalks in a manner that does not create an unsafe situation for pedestrians. ¶

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Deleted: <#>In the event that a person under the age of eighteen (18) years of age commits a violation of this chapter, the parent(s) or guardian(s) of such minor person may be subject to the penalties set forth in Chapter 112 4. A.¶

Section 2. Severability

If any section, subsection, clause, phrase or other portion of this Local Law is, for any reason, declared invalid, in whole or in part, by any court, agency, commission, legislative body or other authority of competent jurisdiction, such portion shall be deemed a separate, distinct and independent portion. Such declaration shall not affect the validity of the remaining portions hereof, which other portions shall continue in full force and effect.

Section 3. Effective Date

This Local Law shall take effect immediately upon adoption and filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

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