

CONSOLIDATION OF A BY-LAW OF THE CITY OF LETHBRIDGE
TO PROVIDE FOR THE LICENSING OF OWNERS OF BICYCLES AND THE REGULATIONS
OF THE OPERATION AND PARKING OF BICYCLES IN THE CITY OF LETHBRIDGE

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B/L 4128 WHEREAS Section 16(1) of the Highway Traffic Act being Chapter H-7
9/22/86 of the Revised Statutes of Alberta (1980) provides in part as
 follows:

16(1) With respect to highways under its direction, control and management
 but subject to the Transportation of Dangerous Goods Control Act,
 the Council of a municipality may make by-laws, not inconsistent
 with this Act and on matters for which no provision is made in this
 Act, for the regulation and control of vehicle, animal and pedestrian
 traffic and, without restricting the generality of the foregoing,
 may make by-laws.

16(1) Controlling or preventing the riding of bicycles on any sidewalk;

16(m) Providing for the licensing of owners of bicycles, prescribing
 regulations with respect thereto and controlling and regulating the
 operation and parking of bicycles on highways and other public places;

16(n) Providing for the seizure or impounding for a period not exceeding
 60 days of any bicycle used or operated in contravention of any by-law.

NOW THEREFORE, THE COUNCIL OF THE CITY OF LETHBRIDGE, DULY ASSEMBLED, HEREBY ENACTS
AS FOLLOWS:

PART I
DEFINITIONS

101. This By-law may be cited as The Bicycle By-law.

102. In this by-law unless the context otherwise requires:

(1) "BICYCLE" includes any cycle propelled by human power upon which
 a person may ride, regardless of the number of wheels it may have,
 but does not include a tricycle or sidewalk bicycle.

(2) "BOULEVARD" means that part of a highway between the curb lines or
 lateral lines of a roadway, and the adjoining property lines,
 exclusive of the sidewalk; also that portion of a highway between
 the curb lines or lateral lines of a divided roadway.

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DEFINITIONS
CONT'D

(3) "HIGHWAY" means any thoroughfare, street, road, trail,
 avenue, parkway, driveway, viaduct, lane, alley,

square, bridge, causeway, trestleway or other place, whether publicly or privately owned, any part of which the public is ordinarily entitled or permitted to use for the passage or parking of vehicles.

- (4) "OWNER" includes the person who acquired the bicycle last and the immediate family, a member of which may be the operator thereof.
- (5) "ROADWAY" means that part of a highway intended for use by vehicular traffic.
- (6) "SIDEWALK" means that part of a highway primarily intended for the use of pedestrians.
- (7) "SIDEWALK BICYCLE" means that style of bicycle designed for young learners, both wheels having a diameter of not more than 20 inches.

PART 2
REQUIREMENT
FOR BICYCLE
LICENSE PLATE
202.

201. No person shall ride or use a bicycle on any highway within the City unless that bicycle has attached to it a license plate issued pursuant to this by-law.

All applications for a bicycle license plate shall be submitted to the City License Inspector and shall contain the following information:

- (1) the name and address of the owner of the bicycle;
 - (2) the make and serial number of the bicycle;
 - (3) any other information that may be required by the License Inspector for identification.
203. Upon receipt of a completed application and license fee the License Inspector shall forward the application to the license plate manufacturer who shall forward the license plate directly to the applicant.
204. The owner of a bicycle shall fasten the license plate to the bicycle by means of a self-locking device.
205. The License Inspector shall keep a record of each application together with the number of the license plate.

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REQUIREMENT
FOR BICYCLE
LICENSE PLATE
CONT'D

206. Any Police Officer may seize a bicycle to which a valid license plate is not affixed and may hold the bicycle until it has been identified and proof of purchase of a license plate has been provided.

207. The fee for a license plate is \$4.00 and such plate is valid for

so long as the original applicant remains the owner. Bicycle plates are not transferable to a new owner of the bicycle.

PART 3
BICYCLE
PARKING

301. No person shall park a bicycle or allow it to stand or lie on any sidewalk within the City unless it is parked upright by means of racks, stands or kick stands.

302. Any bicycle found in contravention of Section 301 may be taken by a Police Officer to a place of safe custody until claimed by the person entitled to possession thereof.

303. Any person claiming he is entitled to possession of a bicycle taken into custody by the Police force of the City of Lethbridge, prior to it being returned to him, shall:

(i) provide to the satisfaction of the Police that he is the owner or entitled to possession thereof, and

(ii) pay to the Police force any cost which may have been incurred by it in transportation and storage of the bicycle.

304. Any bicycle not recovered from the Police Force by the owner thereof within 90 days of it being impounded, may be sold by public auction.

PART 4
AREAS WHERE
BICYCLES
PROHIBITED

401. No person shall ride or use a bicycle:

(1) on any sidewalk or boulevard unless signs permit its use;

(2) in a cemetery;

(3) on a roadway, park or other public place where signs prohibit its use;

(4) on the main roadway of Mayor Magrath Drive between 3rd and 24th Avenues South

(5) on a highway or public place when the roadway is icy, slippery or dangerous for travel.

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(6) on the Crowsnest Trail from 28th Street South to a point 400 metres West of Scenic Drive.

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402. Where a pathway is established for bicycles beside a roadway, the person operating a bicycle shall, when practicable to do so, use the pathway and shall not ride a bicycle on the roadway.

PART 5
PENALTY

501. Any person who contravenes any of the provisions of this by-law is guilty of an offence and liable on summary conviction to a fine of not less than FIVE (\$5.00) DOLLARS and not more than TWENTY-FIVE (\$25.00) DOLLARS.

502. (1) Where any Peace Officer believes that any person has committed a breach of any section of this by-law, he may serve upon such person a notice or tag as provided herein.
- (2) Service of any such notice or tag shall be sufficient if it is:
- (a) personally served;
 - (b) served by registered mail; or
 - (c) attached to a bicycle which has been licensed pursuant to this by-law.
- (3) Upon production of any such notice or tag within Seven (7) days from the date of service of such notice or tag together with the payment of the sum of \$5.00 for any breach under this by-law to a person authorized by the Chief of Police to receive such payment, an official receipt for such payment shall be issued and such payment shall be accepted in lieu of prosecution.
- (4) If the person upon whom any such notice or tag is served fails to pay the said sum within the time allowed, the provisions of this Section shall no longer apply.
- (5) Nothing in this Section contained shall:
- (a) prevent any person from exercising his right to defend any charge of committing a breach of any of the By-law;
 - (b) prevent any person from laying an information or complaint against any other person committing a breach of any Section of this By-law;

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PENALTY (c) prevent any person from exercising any legal right
CONT'D that such person may have to lay an information or
complaint against any other person.

(6) Where any person has made a payment pursuant to the provisions of this Section and is prosecuted for the offence in respect of which such payment has been made, such payment shall be refunded.

PART 6 601. It is the intention of City Council that each separate
MISCELLANEOUS provision of this by-law shall be deemed independent of all
other provisions herein and it is further the intention of City
Council that if any provision of this By-law be declared invalid,
all other provisions thereof shall remain valid and enforceable.