

Introduced by: Councilmember Qureshi

First Reading: September 20, 2017

Second Reading: September 27, 2017

Effective Date: September 27, 2017

CITY OF TAKOMA PARK, MARYLAND

ORDINANCE 2017-45

AMENDING THE *TAKOMA PARK CODE*, TITLE 13, VEHICLES AND TRAFFIC, TO PERMIT THE USE OF WHEELCHAIRS ON CITY SIDEWALKS AND TO PERMIT THE RIDING OF BICYCLES ON SIDEWALKS IN LIMITED CIRCUMSTANCES

WHEREAS, the current Takoma Park Code does not expressly authorize the use of wheel chairs on sidewalks; and

WHEREAS, the current Takoma Park Code prohibits bicycle riding on sidewalks by any person at any time; and

WHEREAS, the Council wishes to recognize the right of people that use wheelchairs to use City sidewalks; and

WHEREAS, the Council recognizes that in some circumstances it may be safer for children to ride their bicycles on the sidewalk than on the street; and

WHEREAS, the Council recognizes that there may be some locations in the City where it is safer for bicyclists to ride on the sidewalk than on the street; and

WHEREAS, the Council recognizes that bike sharing is a popular form of transportation in the City and that bike sharing stations are located on or near sidewalks.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND:

SECTION 1. Title 13, Vehicles and Traffic, of the *Takoma Park Code* shall be amended as follows:

**CHAPTER 13.16
SPECIAL TRAFFIC REGULATIONS**

13.16.050 Riding on sidewalk prohibited—Exceptions.

A. Operators of motorized and non-motorized wheelchairs shall have all the rights and duties applicable to pedestrians.

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B. Except as provided in subsection C of this section, no person shall ride any bicycle on, over or upon any walk or sidewalk in this City.

C. Bicycle riding on sidewalks is permitted as follows:

1. Children 12 years old or younger may ride on sidewalks in all areas of the City.

2. Adults who are actively supervising a child or children 12 years old or younger may ride bicycles on sidewalks.

3. All persons may ride bicycles on sidewalks in areas where the City Manager has determined that it is necessary for the safety of bicyclists and does not pose a significant safety risk to pedestrians. Such areas shall be posted with signage authorizing the riding of bicycles with reference to the need for caution.

4. Persons utilizing bike share stations authorized by the City may ride bike share bicycles on the sidewalk between the bike share station and the nearest accessible curb cut. Such stations shall be posted with signs describing the City policy relating to bicycling on sidewalks.

D. No person shall ride, operate or use a bicycle, unicycle, skateboard, cart, wagon, rollerskates, or any other device moved primarily by human power, on a sidewalk in a careless, reckless, or wanton manner, or carelessly so as to endanger life or property.

E. Under all circumstances, the persons riding bicycles on sidewalks shall yield the right-of-way to pedestrians using the sidewalk, and due and proper care shall at all times be exercised by the rider for the protection of pedestrians. When approaching a pedestrian on the sidewalk, the speed of a bicycle shall be reduced to a speed that is no greater than necessary to continue the operation of the bicycle without the rider dismounting and shall not be increased until the rider has passed the pedestrian.

EF. A violation of this section is a Class G offense.

SECTION 2. This Ordinance will be effective immediately.

ADOPTED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THIS 27TH DAY OF SEPTEMBER, 2017, BY ROLL-CALL VOTE AS FOLLOWS:

AYE: Stewart, Kovar, Qureshi, Seamens, Smith, Schultz
NAY: None
ABSENT: Male
ABSTAIN: None

EXPLANATORY NOTE: Additions to the Code are underlined. Deletions from the Code are indicated with ~~strikethrough~~.