

ORDINANCE 00-16

**TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED
"VEHICLES AND TRAFFIC"**

**Re: Adjusting Fines for Bicycle and Skateboard Violations Under Chapter 15.56 and 15.64;
and, Prohibiting the Operation of Skateboards at the Showers Center**

WHEREAS, representatives from the City of Bloomington Bicycle Patrol have suggested the adjusting of fines for certain bicycle and skateboard violations; and

WHEREAS, the Bicycle and Pedestrian Safety Commission has reviewed these suggestions and recommended their adoption at the March 6, 2000 meeting; and

WHEREAS, the use of skateboards at the Showers Center is damaging the surfaces of walls, railings, terraces and other structures and should be prohibited;

NOW, THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Section 15.56.010 entitled "Applicability of state laws," shall be amended to strike the phrase "Indiana Code 9-4-1" and replace it with "Title 9 of the Indiana Code."

SECTION 2. Section 15.56.020 entitled "Riding on sidewalks," shall be amended to read as follows:

15.56.020 Operating Bicycles

Every person who operates a bicycle on public property shall comply with the following provisions.

(a) No person shall operate a two-wheeled bicycle on a sidewalk if the wheel diameter of the bicycle exceeds fourteen (14) inches. All persons riding bicycles on sidewalks permitted by this section shall yield to pedestrians. Such restrictions does not apply to officers of the Bloomington Police Department who are in the act of performing their duties. A violation of this provision shall be a Class G Traffic Violation, which bears a penalty listed in Section 15.64.010(h).

(b) No person shall operate a bicycle in violation of:

- (i) 15.12.010 (running a stop sign)
- (ii) 15.12.020 (running a yield sign)
- (iii) 15.12.030 (running a traffic light)
- (iv) 15.16.010 (going the wrong way on a one-way street)
- (v) 15.16.020 (going the wrong way on a one-way alley)

A violation of this provision shall be a Class F Traffic Violation, which bears a penalty listed in Section 15.64.010(g).

SECTION 3. Part (b) of Section 15.56.025, regarding the prohibition of coasters, skateboards, and roller skates, shall be amended by adding the following category and area:

PUBLIC FACILITIES:

Showers Center from the building and extending outward to the plaza areas, but excluding the surrounding parking lots.

SECTION 4. Part (d) of Section 15.56.025 regarding fines for coaster, skateboard and roller skate violations shall be amended to read as follows:

15.56.025 Prohibition of coasters, skateboards and roller skates.

(d) Violation of Section 15.56.025 is a Class G Traffic Violation and is subject to the penalty listed in Section 15.64.010 (h).

SECTION 5. Section 15.56.110 entitled "Violation and penalty," shall be amended to read as follows:

15.56.110 Violations and penalty

Unless a provision refers to another penalty, a violation of any provision of this chapter shall be a Class E Traffic violation and is subject to the penalty listed in Section 15.64.010(e). Except for those violations which, by their very nature, can occur more than once in one day, each day that a violation continues shall constitute a separate violation.

SECTION 6. Part (c) of Section 15.64.010 shall be amended by deleting the following sections from the list of covered items:

Covers:

15.56.020 Riding certain bicycles on sidewalk; Failure to yield

SECTION 7. Part (e) of Section 15.64.010 regarding Class E Traffic Violations (Miscellaneous minor offenses) shall be amended by deleting the following sections from the list of covered violations:

Covers:

15.06.025 Coasters, skateboards, and roller skates

SECTION 8. Part (g) of Section 15.64.010 (regarding Class F Traffic Violations) shall be amended by striking the parenthetical phrase "(Parking in leased stalls without a permit)" and adding the following sections to the list of covered violations:

(g) Class F Traffic Violations

Covers:

15.56.020 (b) (disregarding certain traffic control devices)

SECTION 9. Part (h) of Section 15.64.010 regarding Class G Traffic Violations shall be amended by striking the parenthetical phrase "(Bicycle safety violations)" and adding the following sections to the list of covered violations:

(h) Class G Traffic Violations

Covers:

15.56.025 (prohibition of coasters, skate boards, and roller skates)

SECTION 10. If any sections, sentence or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 11. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED AND ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this 19th day of April, 2000.


TIMOTHY MAYER, President
Bloomington Common Council

ATTEST:

Regina Moore

REGINA MOORE, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this 20th day of April, 2000.

Regina Moore

REGINA MOORE, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this 21 day of April, 2000.

John Fernandez
JOHN FERNANDEZ, Mayor
City of Bloomington

SYNOPSIS

This ordinance is sponsored by Councilmember Diekhoff and amends the bicycle and skateboard provisions in Title 15 of the Bloomington Municipal Code. First, it replaces an old reference to the Indiana Code with the most recent one. Second, it raises the fines for skateboard violations from \$3 to \$10 and prohibits skateboarding at the Showers Center and the surrounding parking lots. And, third, it reduces the fines for certain bicycle violations. In particular the fines for ignoring certain traffic control devices will be lowered from \$50 to \$20 and the fine for riding on the sidewalk will be lowered from \$50 to \$10.

Note: This ordinance was amended with the adoption of Am 01, which amended Section 3 to allow skateboarding in the Showers Center parking lots.

Signed Copies to:
PEO
Police
Legal
Controller
BMC
Dep Clerk
CA/CA
FW