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TOWN OF MORRISTOWN

ORDINANCE O-26-2023

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3 (POLICE REGULATIONS), SPECIFICALLY § 3-8.3 OF THE TOWN OF MORRISTOWN MUNICIPAL CODE

WHEREAS, the Town of Morristown has seen an increase in abandoned bicycles throughout the Town; and

WHEREAS, the Town of Morristown desires to amend the current regulations as it pertains to bicycles;

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Morristown, County of Morris, State of New Jersey, being the governing body thereof, that Chapter 3 “Police Regulations”, be and hereby is amended to read as follows:

§ 3-8.3 Bicycle operations on roads and sidewalks.

a. General. All persons 12 years and older operating bicycles in the Town shall conform to all applicable laws of the State and ordinances of the Town, particularly those dealing with the regulation of traffic, except where another age limit is specifically stated as being applicable. Bicycle operators obey the same rules as the drivers of motor vehicles unless inapplicable or inappropriate.

b. Operating regulations. Every person riding a bicycle on a roadway shall ride as near to the right roadside as practicable exercising due care when passing a standing vehicle or one proceeding in the same direction. Every person riding a bicycle shall ride in the same direction as vehicular traffic.

A bicyclist may move left under any of the following conditions:

1. To make a left turn from a left turn lane or pocket;
2. To avoid debris, drains, or other hazardous conditions on the right;
3. To pass a slower moving vehicle;
4. To use a bicycle lane that is designated on the left side of the road;
5. To occupy any available lane when traveling at the same speed as other traffic;
6. To travel no more than two abreast when traffic is not impeded, but otherwise ride in single file.

c. Passengers. No person shall ride on any part of a bicycle not intended for use by a rider, nor more than one person ride a bicycle unless it is designed to accommodate more than one rider or operator.

d. Unsafe bicycle. No person shall operate a bicycle that is in an unsafe or dangerous condition.

e. Lights on bicycles. When in use at nighttime every bicycle shall be equipped with:

1. A front headlamp emitting a white light visible from a distance of at least 500 feet to the front;
2. A rear lamp emitting a red light visible from a distance of at least 500 feet to the rear;
3. In addition to the red lamp, a red reflector may be mounted on the rear.

f. Audible signal. A bicycle must be equipped with a bell or other audible device that can be heard at least 100 feet away, but not a siren or whistle.

g. Helmets. Anyone under 17 years of age that rides a bicycle or is a passenger on a bicycle, or is towed as a passenger by a bicycle must wear a safety helmet.

h. Riding on sidewalks.

1. No person over the age of 12 years old shall ride a bicycle upon a sidewalk within the following business districts:

- (a) Speedwell Avenue between Sussex Avenue and The Green.
- (b) Morris Avenue between Elm Street and The Green.
- (c) South Street between Elm Street and The Green.
- (d) Washington Street between Atno Avenue/Phoenix Avenue and The Green.
- (e) North Park Place.
- (f) West Park Place.
- (g) South Park Place.
- (h) East Park Place.

2. Any person riding a bicycle on any sidewalk in the Town of Morristown shall:

- (a) Yield to pedestrians;
- (b) In company with other bicycle riders, ride only in single file;
- (c) Ride at a walking speed in the presence of pedestrians;
- (d) When passing pedestrians, cyclists shall give an audible warning, using a bell, other audible device or voice command such as "on our left" when passing on the left.

i. Stopping. Every bicycle shall have a means of stopping that is able to cause a bicycle travelling at 15 mph to stop within 30 feet.

j. Parking.

1. No person shall park a bicycle upon a sidewalk in such a manner so as to unduly interfere with pedestrian traffic, or upon a roadway so as to unduly interfere with vehicular traffic.

2. Bicycles shall be parked in such a manner as not to interfere with building entrances.
3. Bicycles shall be parked to designated bicycle racks if present within 100 feet of bicyclist's destination.

i. Bicycles may be attached or secured to the bicycle rack with a U-lock, chain lock, or any other type of lock that is made specifically for bicycles. No person shall attach or secure a bicycle to any fixed object not suited for bicycle parking. No person shall leave a bicycle lying on or standing upon the sidewalk in such a manner so as to hinder or impede pedestrians.

k. Abandonment of bicycles

1. A bicycle may be deemed abandoned by the Town of Morristown if it has not been claimed.

2. The Town of Morristown's Police Department, shall have the authority to place an abandoned bicycle notice, in the form of an adhesive sticker, on the bicycle itself to notify the owner that said bicycle is deemed to be abandoned pursuant to this subsection and that it will be removed and disposed of if not moved.

3. The notice in the form of an adhesive sticker shall state the following:

(a) The date after which the bicycle may be removed if the owner/user does not remove and reclaim it; and

(b) The name and contact information for a Town of Morristown representative to contact in case the bicycle has been mistakenly identified as abandoned.

(c) An abandoned notice sticker is to be placed on a bicycle that has been on the bike rack for fourteen (14) consecutive days.

(d) An owner of the bicycle shall have sixteen (16) calendar days thereafter as set forth on the notice sticker to remove the bicycle from the location. If the bike is not removed within a total of thirty (30) consecutive days, it may thereafter be removed from its location by any means necessary and disposed of by the Town of Morristown in accordance with the law.

(e) The governing body shall pass a resolution authorizing the disposition by public sale of surplus property not needed for a public purpose at a minimum every six (6) months in accordance with N.J.S.A. 40A:11-36 and N.J.S.A 40A:14-157.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

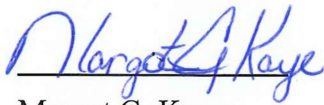
BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, this Ordinance shall take effect upon passage.

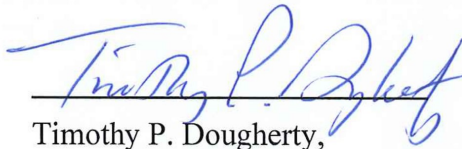
***New Material is bold faced and underlined**

ATTEST:

ADOPTED:



Margot G. Kaye,
Town Clerk



Timothy P. Dougherty,
Mayor

Date: 9/26/2023