

ORDINANCE NO. 2013 - _____

AN ORDINANCE TO AMEND THE RALEIGH CITY CODE BICYCLE REGULATIONS.

NOW THEREFORE BE IT ORDAINED BY THE RALEIGH CITY COUNCIL THAT:

Section 1. Section 9 of the Raleigh City Code is amended by repealing Section 9-7022.

Section 2. Section 11 of the Raleigh City Code is amended by adding the following underlined text:

Sec. 11-2001. DEFINITIONS

Motor vehicle. A motor vehicle is a vehicle which is self-propelled and designed to run upon the highways, and every vehicle which is pulled by a self-propelled vehicle.

Sec. 11-2171. - PARKING PROHIBITED IN CERTAIN PLACES.

(a) Obstructing traffic.

It shall be unlawful for any person to stop, stand or park any motor vehicle upon a street, or alley, in such manner or under such conditions as to obstruct the free movement of vehicular traffic, except that a driver may stop temporarily during the actual unloading of passengers or when necessary to obey traffic regulations or signs or signals, or signals of a police officer.

(b) Designated places.

No person shall stop, stand or park a motor vehicle (attended or unattended) except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control device in any of the following places:

...

(5) Underpass approaches. No motor vehicle shall park on either side of any street approaching a railroad underpass or overhead bridge within fifty (50) feet in any direction of the outer edge of such underpass or overhead bridge.

Sec. 11-2174. - PARKING TIME LIMITED IN DESIGNATED PLACES.

(a) When signs are erected adjacent to parking spaces in each block giving notice thereof, no person shall park a motor vehicle for longer than the limits stated in the signs, as the same are set out in official Traffic Schedule No. 15, "Parking Time Limits." ...

Section 3. Chapter 3 of Part 11 of the Raleigh City Code is repealed, rewritten and reenacted to read as follows:

"Sec. 11-3001. - TITLE.

Raleigh Bicycle Regulations.

Sec. 11-3002. - PURPOSE.

The purpose of this chapter is to adopt policies, procedures and standards for planning, designing, constructing, maintaining, marking and operating bicycle facilities in the City of Raleigh's jurisdiction for the safety and accessibility of bicyclists, pedestrians, motorists and the public.

Sec. 11-3003. - DEFINITIONS.

As used in this chapter, except where the context clearly requires otherwise, the words and expressions defined in this section shall be held to have the meanings herein given to them:

(1) Bicycle:

A non-motorized vehicle with two (2) or three (3) wheels tandem, a steering handle, one (1) or two (2) saddle seats, and pedals by which the vehicle is propelled, and also bicycles with helper motors rated less than one (1) brake horsepower which produces an ordinary pedaling speed up to a maximum of twenty (20) miles per hour.

(2) Bicycle Facilities:

All thoroughfares that provide for bicycle travel including facilities existing within street and highway rights-of-way and facilities along separate and independent corridors.

a. Shared streets:

All existing public or private street rights-of-way where bicycles share the roadway with motor vehicles unless otherwise prohibited by law. Shared streets may utilize signs placed on vertical posts or markings stenciled on the pavement.

b. Bicycle lane/bike lane:

Those bicycle facilities on existing street rights-of-way where a portion of the roadway is set aside for exclusive bicycle use and designated by 1) signs placed on vertical posts or markings stenciled on the pavement and 2) by a painted line marking the bicycle lane on the pavement.

c. Multi-use path/greenway:

Those bicycle facilities on existing street rights-of-way or on a completely separated right-of-way or easement or upon and across parks, schools or other publicly owned lands where a path is designated for the shared use of bicycles and pedestrians. . The parking of any through traffic by motor vehicles is prohibited. Cross-flows by motor vehicles and pedestrians when necessary to gain access to and from a public street or alley and/or a private driveway or other entranceway are permitted.

(3) Motor vehicle:

Every self-propelled device in, upon or by which any person or property is or may be transported or drawn upon a highway, with the exception of bicycles.

(4) Street and highway:

The entire width between property lines of every way or place of whatever nature, when any part thereof is open to the use of the public as a matter of right for the purposes of motor vehicles, bicycles, and pedestrians unless otherwise prohibited by law.

Sec. 11-3004. - APPLICABILITY OF TRAFFIC REGULATIONS.

All bicycles used and operated upon and across shared streets and designated other bicycle facilities within the City of Raleigh's jurisdiction shall be considered vehicles and the riders of such bicycles shall be subject to all provisions of the Raleigh City Code and Chapter 20 of the North Carolina General Statutes applicable to the driver of vehicles except those which by their

nature can have no application. Bicyclists using sidewalks, greenways, or multi-use paths shall comply with all traffic regulations posted along the facility and shall stop or otherwise yield the right-of-way before entering or crossing a public street.

Sec. 11-3005. - PEDESTRIAN RIGHT-OF-WAY ON BICYCLE FACILITIES.

Bicycles shall at all times yield the right-of-way to pedestrians on and across bicycle facilities upon which through pedestrian traffic is also permitted as well as on sidewalks, greenways and multi-use paths.

Sec. 11-3006. - USE OF BIKE LANES BY MOTOR VEHICLES.

- (a) It shall be unlawful for any person to drive, park, stop or stand any motor vehicle in any bike lane designated as such within official Traffic Schedule No. 26, "Bicycle Lanes," unless otherwise permitted, or except when necessary to gain access to and from a public street or alley and/or private driveway or other entrance way, and except that a driver may stop temporarily during the actual loading and unloading of passengers or materials if otherwise permitted in this chapter, or if necessary to obey traffic regulations or signs or signals of a police officer.
- (b) The driver of a motor vehicle approaching a turn at an intersecting street or driveway may cross or merge into a bike lane after yielding to other traffic in the bike lane in order to execute the turn.
- (c) The driver of a motor vehicle accessing on-street parking adjacent to a bike lane may merge into the bike lane after yielding to other traffic in the bike lane in order to execute the parking maneuver.

Sec. 11-3007. – OVERTAKING A BICYCLE

It shall be unlawful for a motor vehicle to overtake a bicycle proceeding in the same direction at a distance of less than two feet to the left."

Section 4. Part 11 of the Raleigh City Code is amended by adding a new Section 11-2137 to read as follows:

"Sec. 11-2137. – LIMITATION ON OPENING MOTOR VEHICLE DOORS INTO TRAFFIC

It shall be unlawful to open the door of a motor vehicle on the side available to moving traffic unless and until it is reasonably safe to do so, and can be done without interfering with the movement of other traffic, nor shall any person leave a door open on the side of a vehicle available to moving motor vehicle or bicycle traffic for a period of time longer than necessary to load or unload passengers."

Section 5. All laws and clauses of laws in conflict herewith are hereby repealed to the extent of said conflict.

Section 6. If this ordinance or application thereof to any *person* or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to this end the provisions of this ordinance are declared to be severable.

Section 7. This ordinance shall become effective the 1st day of November, 2013.

ADOPTED:

EFFECTIVE: