

PREPARED BY:  
CITY OF LEAD  
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## ORDINANCE #1101-24

### AN ORDINANCE MODIFYING LEAD CITY ORDINANCES TITLE VII, CHAPTER 77, REGULATION OF BICYCLES, SKATEBOARDS, ROLLER SKATES, AND COASTERS, BY AMENDING CHAPTER 77.

*BE IT ORDAINED* by the City Commission of the City of Lead that, pursuant to SDCL 9-19, section of Lead Ordinance Title VII, Chapter 77, Regulation of bicycles, skateboards, roller skates and coasters be amended to read as follows:

#### **~~§ 77.01 BICYCLE LICENSE REQUIRED; FINE.~~**

~~—No resident of the city shall operate any bicycle (defined as any device which a person may ride, which is propelled by human power through a system of belts, chains, or gears and which has wheels at least 20 inches in diameter and a frame size of at least 14 inches) on any street, road, highway, or other public property within the city, unless such bicycle is licensed in accordance with this section. No fine imposed for the violation of this section shall exceed \$5.~~

~~(Prior Code, § 19-1100)~~

#### **~~§ 77.02 LICENSING AGENCY.~~**

~~—The City of Lead shall be the licensing agency for the licensing of bicycles in accordance with § 77.01.~~

~~(Prior Code, § 19-1101)~~

#### **~~§ 77.03 REMOVAL OR ALTERATION OF TAGS OR NUMBER.~~**

~~—No person shall willfully or maliciously remove, destroy, mutilate or alter the number of any bicycle frame licensed pursuant to this chapter. No person shall remove, destroy, mutilate or alter any license tag or registration certificate during the time in which such license tag or registration certificate is operative; provided, however, that nothing in this section shall prohibit the city from stamping numbers on the frames of bicycles on which no serial number can be found, or on which the number is illegible or insufficient for identification purposes.~~

~~(Prior Code, § 19-1102)~~

#### **~~§ 77.04 LICENSE FEE.~~**

~~—The license fee to be paid for each bicycle licensed and pursuant to § 77.01 shall be paid upon receipt of license. Said fees shall be \$2 per license issued.~~

#### **~~§ 77.05 UNAUTHORIZED USE.~~**

~~No person shall take any bicycle for the purpose of riding or propelling the same upon any street, road, or highway without the consent of the owner.~~

~~(Prior Code, § 19-1104)~~

#### **~~§ 77.06 SAFE MECHANICAL CONDITION PREREQUISITE TO ISSUANCE OF LICENSE.~~**

~~—Any person applying for a bicycle license pursuant to the provisions of this chapter must demonstrate to the Chief of Police or his/her designated representative that the~~

bicycle for which the applicant desires to secure license plates meets the requirements of this chapter as to safe mechanical condition.

(Prior Code, § 19-1105)

#### **§ 77.07 COMPLIANCE WITH MECHANICAL STANDARDS.**

—It shall be unlawful for any person to ride or operate a bicycle in the city unless the bicycle is equipped as provided in this chapter and unless the bicycle is in safe mechanical condition.

(Prior Code, § 19-1106)

#### **§ 77.08 SIRENS AND WHISTLES.**

—No person shall equip a bicycle with a siren or whistle or operate or use a bicycle so equipped; provided, that nothing in this section prohibits the equipping, operation or use of a bicycle with an unusual kind of bicycle horn or bell as approved by the Chief of Police.

(Prior Code, § 19-1107)

#### **§ 77.09 RULES OF THE ROAD.**

It is unlawful for any person to ride or operate a bicycle in the city in violation of the rules of the road as set forth in §§ [77.10](#) through [77.18](#).

(Prior Code, § 19-1108)

#### **§ 77.10 RIDING BICYCLES ON SIDEWALKS.**

No person shall ride or operate a bicycle upon any sidewalk in a business district. Any person riding or operating a bicycle upon any sidewalk shall exercise due care and shall yield the right-of-way to all pedestrians and shall give audible signal before overtaking and passing such pedestrian.

(Prior Code, § 19-1109)

#### **§ 77.11 RIDING BICYCLES ON STREETS.**

Any person riding or operating a bicycle upon any street shall obey all traffic regulations and operate said bicycle in a safe manner. **STREET** means a way or place of whatever nature publicly maintained and open to the use of the public for purposes of travel.

(Prior Code, § 19-1110)

#### **§ 77.12 HITCHING ON VEHICLES.**

No person riding or occupying any bicycle, coaster, roller skates, roller blades, sled, skateboard, toy vehicle, moped, or any other similar human-powered or motor-powered device shall attach the same or himself/herself to any vehicle or device when upon a public right of way, or upon any land, property, or facilities owned or controlled by the city.

(Prior Code, § 19-1111)

#### **§ 77.13 PASSENGERS ON VEHICLES AND OTHER DEVICES.**

No person riding or operating a bicycle, when upon a public right-of-way or upon space lands owned and/or controlled by the city, to carry another person upon the bicycle; provided, however, that this prohibition shall not apply to bicycles which are built for two persons to ride and propel the same or to the carrying of a child when the child is securely fastened to a seat designed to carry a child or to the rider or operator if the child is under two years of age.

(Prior Code, § 19-1112)

#### **§ 77.14 TOWING.**

No person riding or operating a bicycle, moped, sled, toy vehicle, or any other similar human-powered or motor-powered device upon a public right of way or upon space lands owned and/or controlled by the city shall tow any other vehicle or person, including a skateboard and rider, except that bicycle trailers used for delivery or transportation of newspapers, magazines, or merchandise may be towed when being used in such activity.

(Prior Code, § 19-1113)

#### **§ 77.15 RACING.**

~~No person riding or operating a bicycle, moped, skateboard, roller skates, roller blades, sled, toy vehicle, or any other similar human-powered or motor-powered device upon a public right-of-way, or upon any land, property, or facilities owned or controlled by the city, shall participate in any race, speed, or endurance contest unless such race, speed, or endurance contest has the written permission of the Chief of Police.~~

~~(Prior Code, § 19-1114)~~

#### **§ 77.16 TRICK RIDING.**

No person riding or operating a bicycle, moped, coaster, roller skates, roller blades, sleds, skateboard, or toy vehicle shall perform any acrobatic, fancy, stunt, or trick riding upon any public right-of-way, or upon any space, land, property or facilities owned or controlled by the city.

(Prior Code, § 19-1115)

#### **§ 77.17 PARKING OF BICYCLES.**

No person shall park a bicycle against any window or parking meter or on the main traveled portion of the sidewalk, nor in such manner as to constitute a hazard to pedestrians, traffic or property.

(Prior Code, § 19-1116)

#### **§ 77.18 RIDING IN PARKS PROHIBITED.**

No person shall ride or operate a bicycle or any motor driven conveyance within city parks except on streets through such parks.

(Prior Code, § 19-1117)

#### **§ 77.19 USE OF ROLLER SKATES, SKATEBOARDS, AND COASTERS PROHIBITED IN BUSINESS DISTRICTS.**

No person shall skate with roller skates, or roller blades, propel any coaster wagon or vehicle or ride any skateboard upon any sidewalk, or roadway, or upon any public right-of-way, or upon any land, property or facilities owned or controlled by the city, if such right-of-way, land, property, or facility is located within any business district of the city.

(Prior Code, § 19-1118)

#### **§ 77.21 USE OF SKATEBOARDS IN RESIDENTIAL AREAS.**

The riding of skateboards shall be permitted upon private sidewalks and roadways in residential areas of the city with the exception that the riding of skateboards shall not be permitted:

(A) Upon any public or private sidewalk or ramp, or access ways specially designed for use by the handicapped.

(B) Upon any private or public property where not otherwise prohibited by any provisions of this section, when such property has been posted pursuant to this section.

The City Commission or the designee is authorized to post or erect or cause to be posted or erected, signs, at the owners' expense, prohibiting the riding of skateboards or similar devices, in or on those premises for which such a request has been made to, and approved by, the City Commission or their designee.

(Prior Code, § 19-1120)

**§ 77.22 HOURS FOR SKATEBOARD RIDING.**

No person shall ride a skateboard in the city from sunset to sunrise the following day.

(Prior Code, § 19-1121)

**§ 77.23 RULES OF THE ROAD FOR SKATEBOARDS.**

Persons riding skateboards, as otherwise permitted under this chapter, shall obey the following rules of the road:

(A) Yield the right-of-way to pedestrians whenever and wherever they are encountered.

(B) Not impede or interfere with the flow of vehicular traffic.

(C) Yield to approaching vehicles when entering any roadway.

(D) When on sidewalks, proceed with due care and at a safe speed.

(E) Not allow any other person, or persons, to ride the skateboards simultaneously with the rider.

(Prior Code, § 19-1122) (Ord. 1078-21, passed 7-19-2021)

**§ 77.24 SAFETY OF SKATEBOARD RIDER.**

Persons who ride skateboards shall not wear headphones or other audio listening devices while riding skateboards.

(Prior Code, § 19-1123) (Ord. 1078-21, passed 7-19-2021)

**§ 77.25 MANNER OF SKATEBOARD OPERATION.**

No person shall ride a skateboard recklessly, or in such a manner as to cause danger or injury to himself/herself or to others.

(Prior Code, § 19-1124)

**§ 77.26 ENFORCEMENT.**

Where any provisions of this chapter or of state law with respect to skateboards has been violated by any juvenile under the age of 18 years, the Chief of Police or designee may prohibit the operation upon the streets, alleys, and public places in the city for a period not to exceed 30 days of a skateboard so used in such violation, and in such event the skateboard so used in such violation may be impounded by the Chief of Police or designee and retained during the period of operation which is prohibited.

(Prior Code, § 19-1125) (Ord. 1078-21, passed 7-19-2021)

**§ 77.27 PARENTS OF SKATEBOARD RIDERS.**

The parent of any child, and/or the guardian of any ward, shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this chapter.

(Prior Code, § 19-1126)

Those voting aye:

Those voting nay: None

Motion carried.

ATTEST:

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Ron Everett  
City of Lead, Mayor  
(Seal)

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John Wainman  
City of Lead, Administrator

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