City of Philadelphia

(Bill No. 090444)

AN ORDINANCE

Amending Chapters 10-611 and 12-800 of The Philadelphia Code, entitled, respectively, "Sidewalk Behavior" and "Bicycle Regulations and Penalties," to authorize the Department of Streets to designate sidewalks on which bicycle riding is permissible, providing for penalties, and making technical changes, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Section 10-611 of The Philadelphia Code is hereby amended to read as follows:

§ 10-611. Sidewalk Behavior.

       *   *   *

    (2) Obstructing the Sidewalk Prohibited. No person shall:

       *   *   *

       (c) Ride a bicycle upon any public sidewalk*, subject to the provisions of Chapter 12-800.*

       *   *   *

    (8) Penalties. A person found in violation of this Section shall be subject to penalty, as follows:

       (a) For a violation of subsections (2)(a), relating to parking a motorized vehicle on the sidewalk; (2)(b), relating to gambling on the sidewalk; (2)(g), relating to lying on the sidewalk; [(2)(c), relating to riding a bicycle on the sidewalk;] (2)(d), relating to riding a scooter, roller skates or skateboard on the sidewalk; (2)(h), relating to sitting on the sidewalk; (2)(l), relating to unreasonable obstructions on the sidewalk; and (2)(m), relating to unattended belongings on the sidewalk, a fine of twenty (20) dollars.

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(i) For a violation of subsection (2)(c), relating to bicycles on the sidewalk, the penalty shall be that contained in Section 12-808.

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SECTION 2. Chapter 12-800 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 12-800. BICYCLE REGULATIONS AND PENALTIES.

*   *   *

§ 12-808. Riding on Sidewalks.

(1) No person shall ride a bicycle upon a sidewalk [within a business district, as such district is defined in The Vehicle Code.]*, except as follows:*

(a) Children under the age of twelve may ride on the sidewalk, other than in a business district as defined in the Vehicle Code.

(b) Riding a bicycle on the sidewalk is permitted where appropriate signs are posted for shared pedestrian and bicycling use by the Department of Streets at locations determined by the Department by regulation. The Department shall not adopt any such regulation or post such signs without first receiving a recommendation from the Philadelphia City Planning Commission and considering factors such as pedestrian safety and comfort, bicycle rider safety, existing and expected density of use by pedestrians and bicyclists, motorist safety, traffic flow, and the free ingress and egress to and from surrounding buildings. A sidewalk designated pursuant to this subsection shall not be considered a path for purposes of Section 12-804(2), relating to Riding on Roadway.

 [(2) No person 12 years of age or more shall ride a bicycle upon any sidewalk in any district.]

[(3)] *(2)* Whenever any person is riding a bicycle upon a sidewalk, such person shall yield the right-of-way to any pedestrian and shall give audible signal before overtaking and passing such pedestrian.

[(4)] *(3)* In areas under the jurisdiction of the Fairmount Park Commission, riding bicycles on sidewalks and foot paths may be permitted when authorized by regulations of the commission.

[(5)] *(4)* Notwithstanding the provisions of Section 12-811 of this Chapter, the penalty for violation of this Section shall be a fine of *fifty dollars (*$[10]*50)*, together with the costs of prosecution. *The amount required to be remitted in response to a notice of violation, pursuant to Section 1-112, shall be twenty dollars ($20).*

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Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

City of Philadelphia

CERTIFICATION: This is a true and correct copy of the original Bill, Passed by the City Council on June 11, 2009. The Bill was Signed by the Mayor on June 24, 2009.

Patricia Rafferty
Chief Clerk of the City Council