

## Legislation Text

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**File #:** 150287, **Version:** 0

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Amending Title 12 of The Philadelphia Code, entitled "Traffic Code," to provide for the removal of inoperable abandoned bicycles located within the public right-of-way.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Title 12 of The Philadelphia Code is amended as follows:

### TITLE 12. TRAFFIC CODE.

\* \* \*

### CHAPTER 12-100. GENERAL PROVISIONS.

\* \* \*

#### § 12-102. Definitions.

In this Title the following definitions apply:

\* \* \*

*(7.1) Inoperable Bicycle. A bicycle or portion of a bicycle determined to be inoperable due to two or more of the following: missing wheel and tire; significantly bent or corroded wheel; missing tire without missing wheel; significantly corroded and flat tire; missing seat; missing handlebars; missing pedals; missing, broken or inoperable chain; or broken or significantly bent frame.*

*[(7)] (7.2) Laned Roadway. \* \* \**

\* \* \*

### CHAPTER 12-800. BICYCLE REGULATIONS AND PENALTIES

\* \* \*

#### § 12-813. Removal of Abandoned Inoperable Bicycles.

*(1) No person shall leave an Inoperable Bicycle in the public right-of-way for more than ten days.*

*(2) An Inoperable Bicycle left in the public right-of-way for more than ten days shall be deemed an Abandoned Inoperable Bicycle.*

(3) *An Abandoned Inoperable Bicycle may be removed from the right-of-way and treated as abandoned property or refuse pursuant to the following procedure:*

*(a) An Inoperable Bicycle shall be identified by any officer authorized to enforce ordinances with a tag of a bright color stating that the bicycle: has been determined to be an Inoperable Bicycle pursuant to the City Traffic Code; will be deemed an Abandoned Inoperable Bicycle on the 11th day after it has been tagged; and will be removed and discarded by the City any time thereafter.*

*(b) he tag shall also state that the bicycle owner may contest the determination that the bicycle is inoperable and shall provide a telephone number for a City officer the owner may call in that regard.*

*(c) If no call is received by the 11th day after it has been tagged, or a call has been made but the Officer has affirmed the determination that the bicycle is inoperable, the bicycle may be removed and treated as abandoned property or refuse.*

*(d) If the City Officer called determines that the determination of inoperability was in error, the owner may remove the tag and the bicycle shall not be removed by the City.*

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**Explanation:**

[Brackets] indicate matter deleted.

*Italics* indicate new matter added.