

373.14 IMPOUNDING OF BICYCLES AND/OR TRICYCLES.

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CODIFIED ORDINANCES OF THE CITY OF SHEFFIELD LAKE, OHIO

CERTIFICATION

ROSTER OF OFFICIALS

ADOPTING ORDINANCE NO. 116-84

COMPARATIVE SECTION TABLE

TABLES OF SPECIAL ORDINANCES OF SHEFFIELD LAKE

CHARTER

PART ONE - ADMINISTRATIVE CODE

PART THREE - TRAFFIC CODE

TITLE ONE - Administration

TITLE THREE - Streets and Traffic Control Devices

TITLE FIVE - Vehicles

TITLE SEVEN - Parking

TITLE NINE - Pedestrians, Bicycles and Motorcycles

CHAPTER 371 Pedestrians

CHAPTER 373 Bicycles

373.01 APPLICATION OF REGULATIONS.

373.02 DEFINITIONS.

373.03 PARENT'S RESPONSIBILITY.

373.04 TRAFFIC CODE APPLICATION.

373.05 OBEDIENCE TO TRAFFIC CONTROL DEVICES.

373.06 RIDING ON STREETS.

373.07 RIDING ON BICYCLE PATHS OR SIDEWALKS.

373.08 RIDING ON PROPER SEAT; TRICK RIDING.

373.09 EMERGING FROM ALLEY OR DRIVEWAY.

373.10 CARRYING ARTICLES.

373.11 STOLEN BICYCLES AND/OR TRICYCLES.

373.12 LAMPS AND OTHER EQUIPMENT.

373.13 DUTY TO LOCK BICYCLE AND/OR TRICYCLE.

373.14 IMPOUNDING OF BICYCLES AND/OR TRICYCLES.

373.15 ELECTRIC BICYCLES.

373.20 LICENSE REQUIRED; FEE.

373.21 ISSUANCE.

373.22 LICENSE PLATE.

373.23 LICENSE PLATE LOST OR DESTROYED.

373.24 RENTAL AGENCIES.

373.25 TRANSFER OF OWNERSHIP.

373.99 PENALTY.

CHAPTER 374 Motorized Bicycles (Mopeds)

CHAPTER 375 Snowmobiles, Off-Highway Motorcycles and All Purpose Vehicles

PART FIVE - GENERAL OFFENSES CODE

PART SEVEN - BUSINESS REGULATION CODE

PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE

PART ELEVEN - PLANNING AND ZONING CODE

PART THIRTEEN - BUILDING CODE

PART FIFTEEN - FIRE PREVENTION CODE

OH

Sheffield Lake

Codified Ordinances of Sheffield Lake, OH

373.14 IMPOUNDING OF BICYCLES AND/OR TRICYCLES.

CHAPTER 373 Bicycles

373.09 EMERGING FROM ALLEY OR DRIVEWAY.

(a) The operator of a bicycle or tricycle emerging from an alley, driveway or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley or driveway, yield the right of way to all pedestrians approaching on such sidewalk area and upon entering the street shall yield the right of way to all vehicles approaching on such street.

(b) Every rider of a bicycle or tricycle shall exercise due care to avoid colliding with any pedestrian or any vehicle upon any roadway, sidewalk or bicycle path, or endangering the life, limb or property of any person while in the lawful use of the streets, sidewalks or any other private or public property.

(Ord. 45-88. Passed 6-14-88.)

373.10 CARRYING ARTICLES.

No person operating a bicycle shall carry any package, bundle or article that prevents the driver from keeping at least one hand upon the handlebars.

(Ord. 45-88. Passed 6-14-88.)

373.11 STOLEN BICYCLES AND/OR TRICYCLES.

No person shall steal any bicycle or tricycle or purposely take, ride or operate any bicycle or tricycle without consent of the owner thereof, or buy or conceal any bicycle or tricycle that has been stolen, knowing it to have been stolen.

(Ord. 45-88. Passed 6-14-88.)

373.12 LAMPS AND OTHER EQUIPMENT.

(a) Every bicycle and tricycle when in use in the night season, shall be equipped with the following:

(1) A lamp on the front that shall emit a white light visible from a distance of at least 500 feet to the front;

(2) A red reflector on the rear of a type approved by the Ohio Director of Highway Safety that shall be visible from all distances from 100 feet to 600 feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle;

(3) A lamp emitting a red light visible from a distance of 500 feet to the rear shall be used in addition to the red reflector;

(4) An essentially colorless reflector on the front of a type approved by the Director;

(5) Either with tires with retroreflective sidewalls or with an essentially colorless or amber reflector mounted on the spokes of the front wheel and an essentially colorless or red reflector mounted on the spokes of the rear wheel. Each reflector shall be visible on each side of the wheel from a distance of 600 feet when directly in front of lawful lower beams of head lamps on a motor vehicle. Retroreflective tires or reflectors shall be of a type approved by the Director. (A.O.)

(b) No person shall operate a bicycle or tricycle unless it is equipped with a bell or other warning device capable of giving a signal audible for a distance of at least 100 feet, except that a bicycle or tricycle shall not be equipped with nor shall any person use on a bicycle or tricycle any siren or whistle.

(c) Every bicycle and tricycle shall be equipped with a brake which will enable the operator to make the brake wheel skid on dry, level pavement and in addition, such brakes shall conform to

the provisions of Chapter 337 of this Traffic Code.

(Ord. 45-88. Passed 6-14-88.)

373.13 DUTY TO LOCK BICYCLE AND/OR TRICYCLE.

No bicycle and/or tricycle shall remain unlocked when parked or left standing upon any public street, public sidewalk, public driveway, public playground, public school property or any other public property.

(Ord. 45-88. Passed 6-14-88.)

373.14 IMPOUNDING OF BICYCLES AND/OR TRICYCLES.

(a) Whenever any person operates a bicycle or tricycle in violation of any section of this Traffic Code, the bicycle and/or tricycle may be seized by any member of the division of Police and the Chief of Police shall have the authority to impound any bicycle or tricycle at the police station. An impounded bicycle shall not be released to a minor.

(b) When any bicycle or tricycle has been seized and so impounded, notice shall be made forthwith by the officer in charge to the owner of the bicycle or tricycle or, in the event the person is a minor under the age of eighteen years, such notice shall be made to the parent or guardian of the licensee of the bicycle or tricycle. The notice shall contain a full explanation of the reason for seizing and impounding the bicycle or tricycle.

(c) Any bicycle or tricycle impounded under the provisions of this Traffic Code shall be surrendered to the owner or to the parents or guardian of any minor upon showing sufficient proof of ownership of the bicycle or tricycle, but nothing herein shall relieve the offender of any penalty that may be imposed under the general penalty section of this chapter.

(d) It shall be the duty of the police officer or the person in charge of records to keep in an appropriate book or file the names and addresses of all owners of bicycles and tricycles impounded, the name and address of the violator if he is not the owner, the license number and the serial number of the bicycle or tricycle, together with the nature and circumstances of each violation, as well as the disposition of each case.

(Ord. 45-88. Passed 6-14-88.)

373.15 ELECTRIC BICYCLES.

(a) (1) The operation of a class 1 electric bicycle and a class 2 electric bicycle is permitted on a path set aside for the exclusive use of bicycles or on a shared-use path, unless the Municipality by resolution, ordinance, or rule prohibits the use of a class 1 electric bicycle or class 2 electric bicycle on such a path.

(2) No person shall operate a class 3 electric bicycle on a path set aside for the exclusive use of bicycles or a shared-use path unless that path is within or adjacent to a highway or the Municipality by resolution, ordinance, or rule authorizes the use of a class 3 electric bicycle on such a path.

(3) No person shall operate a class 1 electric bicycle, a class 2 electric bicycle or a class 3 electric bicycle on a path that is intended to be used primarily for mountain biking, hiking, equestrian use, or other similar uses, or any other single track or natural surface trail that has historically been reserved for nonmotorized use, unless the Municipality by resolution, ordinance or rule authorizes the use of a class 1 electric bicycle, a class 2 electric bicycle, or a class 3 electric bicycle on such a path.

(4) Subsections (a)(2) and (a)(3) of this section do not apply to a law enforcement officer, or other person sworn to enforce the criminal and traffic laws of the state, using an electric bicycle while in the performance of the officer's duties.

(b) (1) No person under sixteen years of age shall operate a class 3 electric bicycle; however, a

person under sixteen years of age may ride as a passenger on a class 3 electric bicycle that is designed to accommodate passengers.

(2) No person shall operate or be a passenger on a class 3 electric bicycle unless the person is wearing a protective helmet that meets the standards established by the Consumer Product Safety Commission or the American Society for Testing and Materials.

(c) (1) Except as otherwise provided in this subsection, whoever operates an electric bicycle in a manner that is prohibited under subsection (a) of this section and whoever violates subsection (b) of this section is guilty of a minor misdemeanor. If, within one year of the offense, the offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the third degree.

(2) The offenses established under subsection (c)(1) of this section are strict liability offenses and strict liability is a culpable mental state for purposes of Ohio R.C. 2901.20. The designation of these offenses as strict liability offenses shall not be construed to imply that any other offense, for which there is no specified degree of culpability, is not a strict liability offense.

(ORC 4511.522)

LICENSING

373.20 LICENSE REQUIRED; FEE.

(a) No bicycle shall be operated in the City without a license therefor as provided in this chapter. Such license shall be applied for to Clerk of Courts of the City by every owner of a bicycle upon a form provided by the Chief of Police. A license fee of two dollars (\$2.00) shall be paid to the Clerk of Courts for each license granted. No further license fee shall be charged so long as the ownership of such licensed bicycle does not change.

(b) No person who is the owner of a bicycle shall be permitted to use such bicycle unless it is licensed in a manner satisfactory to the Chief of Police.

(Ord. 45-88. Passed 6-14-88.)

373.21 ISSUANCE.

The Clerk of Courts upon receiving the proper application therefor, is authorized to issue a bicycle license which shall be effective so long as the applicant owns the bicycle for which such license is issued. The Clerk of Courts shall not issue a license for any bicycle when he knows or has reasonable grounds to believe that the applicant is not the owner of or entitled to the possession of such bicycle. The Chief of Police or someone designated by him shall keep a record of the number of each license, the date issued, the name of the person to whom issued, the model and number on the frame of the bicycle for which issued, and a record of all bicycle license fees collected by him. A minor, upon making application for a bicycle license, shall furnish to the Chief of Police, or someone designated by him, a certification by a parent or guardian, either upon the application or upon a separate form, that the information stated thereon is true.

(Ord. 45-88. Passed 6-14-88.)

373.22 LICENSE PLATE.

The Clerk of Courts shall issue a license plate bearing the license number assigned to such bicycle and the name of the City, together with a certificate bearing the name of the owner and the license number and year stamped thereon. The licensee shall cause such license plate to be firmly attached to the bicycle for which issued, in such position as to be plainly visible from the rear thereof. No person shall remove a license plate from a bicycle.

(Ord. 45-88. Passed 6-14-88.)

373.23 LICENSE PLATE LOST OR DESTROYED.

In the event a license plate is lost or destroyed, the Clerk of Courts if satisfied of such fact, shall issue a new license plate upon the application of the owner of the bicycle for which a fee of fifty cents (\$.50) shall be charged.

(Ord. 45-88. Passed 6-14-88.)

373.24 RENTAL AGENCIES.

A rental agency shall not rent or offer any bicycle for rent unless the bicycle is licensed and a license plate is attached thereto.

(Ord. 45-88. Passed 6-14-88.)

373.25 TRANSFER OF OWNERSHIP.

Every person buying, selling or giving away a new or second-hand bicycle shall make a report to the Police of every bicycle so purchased, sold or given away by such person, giving the name and address of the person for whom purchased, or to whom sold or given, a description of such bicycle by name or make, and the frame number thereon.

(Ord. 45-88. Passed 6-14-88.)

373.99 PENALTY.

(a) Whoever violates any provision of Sections 373.01 to 373.14, inclusive shall be deemed guilty of a minor misdemeanor and in addition thereto such violator may be prohibited from riding a bicycle and/or tricycle for a period not to exceed six months.

(b) Whoever violates any provisions of Sections 373.20 to 373.25 inclusive shall for a first offense be guilty of a minor misdemeanor and for each subsequent offense be guilty of a misdemeanor of the fourth degree.

(c) Regardless of any other penalty, whoever violates any provision of this chapter may be punished by having his bicycle or tricycle impounded for a period not exceeding thirty days. (Ord. 45-88. Passed 6-14-88.)

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- ORDINANCE NO. 116-84
- ORDINANCES OF SHEFFIELD LAKE
- Ord. 45-88
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