



Legislation Text

File #: O-266-21, Version: 1

Council Member Melden

Repealing Toledo Municipal Code Chapter 375, "Bicycle Licensing"; and declaring an emergency.

SUMMARY & BACKGROUND:

Bicycle licensing laws have been found to be ineffective and challenging to enforce, and the City of Toledo's bicycle licensing requirement has not been enforced in recent years. Many states and municipalities have made the decision to repeal these laws. The repeal of Chapter 375 of the Toledo Municipal Code eliminates mandatory bicycle registration, but the City will encourage voluntary registration of bicycles through free national bicycle registration systems.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That Toledo Municipal Code Chapter 375, "Bicycle Licensing" as set forth below, is hereby repealed:

CHAPTER 375 Bicycle Licensing

375.01. Definitions.

As used in this chapter:

- (a) "Bicycle" means a bicycle as defined in Chapter 301.
- (b) "Director of Public Safety" includes any officer or employee in the Safety Department of the City who shall be designated by the Director of Public Safety to do or perform any act or thing in connection with this chapter.
- (c) "Streets or public places" includes any and all roads, highways, paths, park areas, park driveways and, in general, all places open to the public.
- (d) "Person" includes an individual, person, firm, association or corporation.

375.02. License required.

No person shall operate, ride or use a bicycle upon any of the streets or public places of the City without having displayed upon such bicycle a license tag which has been obtained from the Chief of Police in accordance with the terms and provisions of this chapter, and without having first had such bicycle registered in accordance with the terms and provisions of this chapter.

375.03. Application for license and registration.

Application for license and registration shall be made to the Chief of Police. The application shall contain the name and address of the owner, a complete description of the bicycle, including serial number and such other and further information as may be required by the Chief.

375.04. Inspection.

Upon the filing of the application required by Section 375.03, the Chief of Police or Chief of Fire shall cause an inspection of the bicycle to be made. Such inspection shall be for the purpose of ascertaining that the bicycle complies with the lawful requirements of the ordinances of the City and for ascertaining the serial number or numbers thereon. It shall be the duty of the Chief of Police or the Chief of Fire, or the persons designated by them, in the event any bicycle does not have a serial number thereon, or in the event the serial number thereon is illegible, to cause an appropriate number to be stamped upon the frame of such bicycle and to enter upon the records hereinafter mentioned the number so stamped.

375.05. When inspection may be waived.

The inspection provided by Section 375.04 may be waived by the Chief of Police with respect to new bicycles purchased from regularly established stores in the City engaged in the business of selling new bicycles in the City; provided, however, that no waiver of inspection shall be made except upon presentation from such regularly established bicycle store, engaged in the business of selling new bicycles in the City, of a bill of sale for the bicycle for which a license application has been made, containing all serial numbers thereon, and such other descriptive dates as may be required by the Chief of Police.

375.06. Issuance of license tags; registration.

When the inspection hereinabove mentioned has been made and it is determined that the bicycle meets the requirements of this chapter and other ordinances of the City, the Chief of Police shall issue a license tag for such bicycle. The City shall provide a suitable book or record cards for the purpose of keeping a record of all bicycles for which licenses have been issued. The records shall be kept in such manner and such detail as the Chief of Police shall determine. The Chief, or person designated by him, shall also issue to applicant at the same time such tag is issued a registration card showing that a license has been issued to the applicant, and containing a description of the bicycle for which the license is issued, together with the name and address of the licensee.

375.07. License fee.

The bicycle license application shall be accompanied by a fee of five dollars (\$5.00). Only one registration and license for a bicycle shall be necessary so long as the bicycle remains the property of the person to whom the license is issued. Upon change of ownership such license tag may be transferred to the new owner upon the payment of the fee of five dollars (\$5.00). All license fees collected hereunder shall be paid into the General Fund of the City.

375.08. Display of license tags.

The license tag, issued as hereinabove described, shall be affixed to the rear of the bicycle by a person designated therefor. Such tag shall be removed only by the person designated therefor by the Chief of Police, or in accordance with the other provisions of this chapter.

375.09. Altering of license tags or registration cards prohibited.

No person shall intentionally alter, mutilate or deface any license tag or registration card which has been issued in accordance with the provisions of this chapter.

375.10. Registration card to be shown police official on demand.

The registration card which shall be issued in accordance with the provisions of this chapter shall be shown to any police official on demand, or when the holder thereof is ordered to appear for any violation of the

provisions or the conditions of this Traffic Code.

375.99. Penalty.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and property of the City, and for the further reason that this Ordinance is required to be immediately effective in order to repeal Chapter 375; wherefore, this Ordinance shall be in full force and effect immediately after its passage or at the earliest time allowed by law.

Vote on emergency clause: yeas 12, nays 0.

Passed: May 25, 2021, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved:

May 26, 2021
Wade Kapszukiewicz
Mayor