# Bicycle and Pedestrian Action Plan 6/18/2004

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# APPENDIX 1 Bicycle and Pedestrian Action Plan, Plan and Policy Context

Increasing bicycle and pedestrian use has been a goal of the Town of Chapel Hill for many years. The following gives a summary of the history of planning policy and initiatives aimed at the provision of bicycle and pedestrian facilities in Chapel Hill. The documents outlined were produced by the Town of Chapel Hill unless otherwise stated.

The 1977 Bikeway Concept Plan was to establish a radial/ circumferential system of facilities linking origins and destinations in the town. It identified four types of bikeways: Grade Separated Bike Paths - paths separate from the roadway, Bike Lanes - marked travel lanes on existing roads, Bike Routes - posted routes suggested for bicycle travel and, Greenway Bike Paths.

The 1979 Community Facilities Report included seven bikeway projects from the 1977 plan for inclusion in the Town's Capital Improvements Program. Grade separated bike paths were constructed along sections of Airport Road, East Franklin Street, and Raleigh Road (Although these paths do not meet current North Carolina Department of Transportation standards for off road paths they are well used by cyclists and pedestrians). An off road path was also constructed between Cleland Road and Ridgefield Road parallel to 15-501North Fordham Boulevard. Shared bike lanes/parking facilities were also identified on Country Club Road and Cameron Avenue.

The 1982 Sidewalk Plan provided a comprehensive approach to sidewalk planning in Chapel Hill. The plan examined the current conditions and the need for sidewalks by analyzing the Town's street network and major pedestrian origins and destinations. It outlined a proposed sidewalk plan and suggested standards which would form the basis for the plan. The plan discussed implementation through ordinance revisions, petitions, and a town construction program. It also recommended criteria for determining priorities and divided sidewalks into four classifications. The appendices contained detailed analyses of each street in the plan including existing sidewalks, worn paths, traffic volumes, topographic problems, pedestrian generators, speed limits roadway and right-of-way widths, and anticipated street widening. Most of the sidewalks identified have now been constructed.

The 1989 Comprehensive Transportation Report of the Comprehensive Plan included a 1988 Bikeway Concept Plan which identified a system of facilities connecting residential areas and employment centers made up of grade separated bike paths, marked bicycle travel lanes and streets signed as bike routes. Bicycle travel lanes were the chief component of the concept plan. In the Town center they were

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envisioned for Rosemary Street, Cameron Avenue, Columbia Street, Pittsboro Street and Airport Road. Outside of the town center they were envisioned for arterial streets corresponding to the Town's thoroughfare plan. The Comprehensive Transportation Report recommended the provision of signs to alert motorists, guidelines for the provision of bicycle parking facilities, bicyclist and motorist education, route maps, promotion of a "bike to work day", enforcement of vehicular regulations and methods to fund improvements.

The 1989 report also reviewed progress on the 1982 Sidewalk plan and recommended:

- Sidewalks should be constructed adjacent to all Town streets as Local Class A or higher.
- 2. Existing sidewalks should be linked with each other.
- Sidewalks should be constructed along roadways that are heavily utilized by pedestrians and lack adequate roadway width or shoulder width to provide safe pedestrian movement.
- 4. Future pedestrian ways should be constructed or paved rather than gravel surfaces. Brick should be use to replace gravel pathways in the residential areas surrounding the Town Center area.
- 5. The design review process should ensure that access within mixed-use developments and between adjacent developments ensures convenient, efficient and barrier-free pedestrian movement.

The 1993 Regional Bicycle Plan of Durham and Orange County was produced by consultants Greenways incorporated for the Transportation Advisory Committee of the Durham Carrboro Chapel Hill Metropolitan Urban Area. The plan identifies engineering, educational, encouragement and enforcement actions for the following twenty years in five year phases. A stated goal of the Plan is to establish a comprehensive regional bicycle network.

**The 1994 Pedestrian Plan** focused on policies and guidelines for the provision of pedestrian facilities by the Town and developers. It identified as a key objective the development of a pedestrian implementation plan, and a specific and graphic plan of action turning guidelines into a system of pedestrian facilities including:

- Identification of pedestrian origin and destination nodes.
- Mapping of all existing and proposed pedestrian facilities.
- Graphic representation of the relationships between components of the system such as sidewalks, paths, easements, greenways and transit.
- Development of a comprehensive implementation plan, schedule and estimated costs for pedestrian improvements Town-wide, as well as specific proposals for funding.
- Coordination of pedestrian plans with bicycle plans and traffic calming techniques where appropriate.

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The 1998 Greenways Comprehensive Master Plan. This plan identifies over 38 miles of linear space as potential greenways. The perennial streams located in Chapel Hill form the heart of a network. Highway corridors, rail corridors, ridges and park land all contribute to the system. Within the greenways, bicycle and pedestrian use is proposed. "Over 28 miles of the Town's greenway corridors are suitable for development of paved and unpaved trails. A variety of trail types are proposed to suit specific recreational and transportation priorities and specific site conditions. Trails may range from natural surface foot paths and boardwalks utilized to negotiate sensitive or difficult site conditions to paved pedestrian and bicycle trails offering maximum recreational and transportation use." (p. vii Plan summary)

The 1999 Orange County Bicycle Transportation Plan is the Bicycle Transportation Component of the Orange County Comprehensive Plan. This is a plan intended to develop transportation facilities and programs for bicyclists. The plan seeks to provide facilities between the urban areas within and adjacent to Orange County and to provide bicycle transportation access from rural areas to adjacent urban areas.

The 2000 Comprehensive Plan (please see Chapter 2 for details)

Land Use Management Ordinance. This provides the legal basis for the regulation of development as provided in the North Carolina General Statutes and the Tow Charter. The design of street systems and regulation of traffic are described in Section 5.8. This includes not only vehicular access, but also facilities for bicycle and pedestrian access. Section 5.9 includes off street bicycle parking standards for new development.

The Town Manual and Standard Details These provide information which clarifies and illustrates the requirements contained in the Land Use Management Ordinance.

Code of Ordinances. Traffic Code. (See Appendix 2)

- Section .21-3. Operation of bicycles, skateboards, rollers skates, and scooters on certain public streets. This section prohibits operation of the above on sidewalks along Rosemary Street and Franklin Street west from Robertson lane to the town boundary and also on Columbia Street between Rosemary Street and Franklin Street.
- Article VI. Bicycles. Sections 21-41 to 21-62. This Article provides provisions for the operation of bicycles in the Town of Chapel Hill.

**Bicycle Facilities Policy** 

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On September 24, 2001, the Town Council considered a report on issues of wide outside lanes and striped bicycle lanes including the recommendations from the Town Manager, Transportation Board and the Bicycle and Pedestrian Advisory Board for a policy for the construction of bicycle facilities.

The Town Council adopted a bicycle facilities policy on that date which had a presumption in favor of providing wide outside lanes on arterial and collector streets within Chapel Hill. Striped bicycle lanes could be provided where a series of conditions were met.

On March 3, 2003, and June 17, 2003, the Transportation Board presented petitions to the Town Council to change the bicycle facilities policy. The Transportation Board argued that the conditions for providing striped bicycle lanes were too strenuous and that bicycle lanes were preferred by potential cyclists as a means to encourage more citizens to bicycle. On May 20, 2003 the Transportation Board and the Bicycle and Pedestrian Advisory Board held a joint meeting to reach a consensus on this matter. However, consensus was not reached. During the summer of 2003, Council Members Harrison and Ward worked with Town staff to formulate a revised bicycle facilities policy which would be acceptable to both Boards. On October 28, 2003 and November 4, 2003 the respective Boards endorsed the revised policy.

On 10 November, 2003 the Town Council adopted a revised bicycle facilities policy at and directed the Town Manager to utilize this policy in reviewing development plans and in the design of roadway improvements within the Chapel Hill Planning Jurisdiction. The policy recognizes that:

"There are variable circumstances exist in the Town of Chapel Hill such as topography, vehicle speed and volume, impediments such as parked vehicles, drainage grates or raised reflectors, access to public facilities and activity centers and available right of way." And states that:

- Within the Planning Jurisdiction of the Town of Chapel Hill, the appropriate design, type and width of bicycle facilities will be assessed on an individual and site-specific basis depending on the circumstances that exist.
- Striped bicycle lanes will normally be provided on newly constructed or reconstructed Arterial Streets; however, when existing Arterial Streets that do not currently have bicycle lanes are resurfaced they will normally be re-striped with bicycle lanes to the extent practicable.
- Either striped bicycle lanes or wide outside lanes may be appropriate on Collector Streets depending on site specific circumstances.
- Local Streets will not normally include extra width for bicycle facilities.

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## Bicycle and Pedestrian Advisory Board

Preparation of a long-range Action Plan was included in the Council's charge to the Bicycle and Pedestrian Advisory Board when it was established in 1999. The specific powers and duties of the Board are described in Chapter 2, Article XII, of the Town Code, and include:

- a) Advise the Council regarding the creation, development, and revision of a phased Walks and Bikeways Master Plan.
- b) Set priorities for new facilities or enhancement of existing routes in the Walks and Bikeways Master Plan.
- c) Identify and prioritize critical gaps in facilities; advise which critical gaps require Town action.

Staff level Bicycle and Pedestrian Oversight Committee The 1994 Pedestrian Plan recommended the establishment of a Staff level Bicycle and Pedestrian Oversight Committee to monitor and coordinate pedestrian issues. A committee comprising representatives from the Town's Planning Engineering, Public Works, and Parks and Recreation Departments, meets quarterly for this purpose.

### State Transportation Improvement Program (TIP)

The strategic roads in the Town are generally State maintained. Alterations and improvements are controlled and largely financed by the State.

The Town lies within the Durham, Chapel Hill, and Carrboro Metropolitan Urban area and is therefore a member of the DCHC Metropolitan Planning Organization (MPO). Federal Highway Funds are administered by the State and some are allocated to member organizations through the MPO. The funds are programmed in the State Transportation Improvement Program (6 year program) which incorporates the Metropolitan Transportation Improvement Program (6 year program). The programs are reviewed every 2 years and the preparation, community input and approval process takes 2 years. The allocation and timing of improvements to State roads such as Estes Drive, Airport Road and Weaver Dairy Road are largely controlled by the State. The State also has the final say on the standards and design of facilities on State maintained highways.

# Capital Improvement Program (CIP)

The Capital Improvements Program is a 15-year plan to fund capital projects that are selected based on a set of priorities and anticipated availability of funding. The program

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emphasizes maintenance projects at Town facilities, with the goal of addressing problems as they arise in order to avoid more costly repairs in the future. Funds for the construction of bicycle and pedestrian facilities may be included in the program.

### Annual Construction Plan and Ranking System

The Town's current practice is to hold an annual public forum in the fall to receive citizen comments, including requests for new sidewalk and bicycle facilities. Requests for sidewalks are assessed using the Council's adopted sidewalk ranking system. This is a two-step system. The first step involves quantitatively ranking the sidewalk project list based on a series of factors. This ranking system is intended to be used as a "general guide" for identifying potential sidewalk projects. The second step is to work from this list and consider other factors, such as existing or available right-of-way, construction feasibility, and immediacy of need, to determine a list of new sidewalk projects for each fiscal year. By considering these other factors, projects other than those at the top of the ranking list could be chosen for funding and construction.

Typically, the Council focuses on projects that generally appear as higher priority projects in the sidewalk ranking system. However, the Council also takes into account the following feasibility criteria to evaluate sidewalk projects:

- · Significant safety issues;
- Recognition of fiscal restraints;
- Reasonableness of costs compared to benefit attained;
- Efficient coordination of resources when other construction projects are underway; Consideration of prior commitments;
- Contributions of funds from an outside source to help defray costs;
- · Distribution of funding throughout the Town; and
- Most efficient balance of use of Town forces and outside contractors.

(g) The penalties imposed under this section shall be collected solely as civil penalties and no parking penalties or fines provided in articles IV and V of chapter 21 of this Code shall be enforced through criminal misdemeanor or infraction process. This section shall not be construed as limiting any authority of the town to tow or remove any vehicle violating any provision of chapter 21 for which said removal is otherwise authorized and to charge the owner of such vehicle with the costs of removal and storage in accordance with the process and procedures contained in this chapter.

(Ord. of 7-12-71, § 2; Ord. No. O-75-47, § 1, 7-28-75; Ord. No. 86-4-14/O-1, § 1; Ord. No. 86-7-14/O-6, § 1; Ord. No. 92-1-27/O-1, § 1; Ord. No. 92-8-24/O-1, § 6; Ord. No. 93-1-11/O-8, § 1; Ord. No. 95-6-5/O-5, §§ 1, 2; Ord. No. 95-6-26, § 1; Ord. No. 99-6-14/O-5, § II; Ord. No. 2000-09-11/O-5, § 1; Ord. No. 2000-10-11/O-4/§ 2)

# Sec. 21-39. Violations.

It shall be prohibited and a violation of the provisions of this article for any person:

- (1) To cause, allow, permit, or suffer a vehicle registered in the name of, or operated by such person, to be stopped, left standing or parked overtime or beyond the period of legal parking time established for any parking meter zone as herein described, or to deposit in any parking meter any coin or token for the purpose of parking beyond the maximum legal time for the particular parking zone.
- 2) To cause or allow a vehicle to be stopped, left standing, or parked in a parking meter space while the parking meter for such space is displaying a signal indicating that the meter is not active.
- (3) To stop, leave standing or park any vehicle across any line or marking of a parking meter space or in such position that the vehicle shall not be entirely within the space as designated by such lines or markings or in any manner inconsistent with the method of parking as prescribed in section 21-31 of this article.

- (4) To deface, injure, tamper with, open or willfully break, destroy, or impair the usefulness of any parking meter installed under the provisions of this article.
- (5) To deposit or cause to be deposited in any parking meter any slug, device, metal substance, or other substitute for lawful United States coins or tokens as authorized by the Town of Chapel Hill for use in parking meters in this article.

(Ord. No. O-75-47, § 2, 7-28-75; Ord. No. 86-4-14/ O-1, § 3; Ord. No. 86-7-14/O-6( § 1)

# Sec. 21-40. Administrative appeals.

The town manager is hereby authorized:

- (a) To establish a procedure to allow persons who receive citations for violation of town parking regulations to file administrative appeals;
- (b) To set deadlines for the filing of such appeals.

Any such procedure shall allow a minimum of twenty-one (21) days to file an appeal from the date of the parking citation and shall provide for a written notice that outlines the fines and the appeal deadline to be mailed to the registered owner of the vehicle within 10 days of the parking citation.

(Ord. No. 2000-09-11/O-4, § 1)

#### ARTICLE VI. BICYCLES\*

#### Sec. 21-41. Definitions.

- (a) Bicycle: A nonmotorized vehicle with two (2) or three (3) wheels tandem, a steering handle, one or two (2) saddle seats, and pedals by which the vehicle is propelled. (GS 20-171.1)
- (b) Bikeway: A thoroughfare suitable for bicycles, and which may either exist within the right-of-way of the modes of transportation, such as
- \*Editor's note—Ord. No. O-78-58, enacted Sept. 11, 1978, amended Art. VI, relative to bicycles, to read as set out in §§ 21-41—21-66. Prior to amendment Art. VI was derived from Ord. of April 26, 1971, §§ 1—3, and Ord. No. O-74-49, § 1, adopted July 15, 1974.

highways, or along a separate and independent corridor. The term "bikeway" may include "bike lanes", "bike paths" and "bike trails".

- (c) Bike lanes: That portion of a roadway set aside for the use of bicycles and so designated as provided in section 21-42.
- (d) Bike path: A separate pathway for bicycles and pedestrians paralleling a roadway, located within the right-of-way of said roadway ad so designated as provided in section 21-42.
- (e) *Bike trail*: A pathway for bicycles and pedestrians located within a public easement or right-of-way other than that of a roadway and so designated as provided in section 21-42.
- (f) Moped: A vehicle having two or three wheels and operable pedals and equipped with a motor which does not exceed fifty cubic centimeters piston displacement and cannot propel the vehicle at a speed greater than twenty (20) miles per hour on a level surface.

(NCGS 20-401(d1); Ord. No. O-78-58, 9-11-78; Ord. No. 86-11-10/O2, § 1)

#### Sec. 21-42. Establishment of bikeways; signs.

The town manager shall place or cause to be placed appropriate signs or other markings indicating the bikeways designated below:

(a) The following are designated as bike paths: East Franklin Street (north side)—Estes Drive to Hillsboro Street.

Airport Road (east side)—Hillsboro Street to Estes Drive.

Airport Road (west side)—Umstead Drive to North Columbia Street.

Columbia Street (west side)—Airport Road to Cameron Avenue.

Columbia Street (east side)—Cameron to Rosemary Street.

Pittsboro Street (west side)—From Cameron Avenue to a point 50 feet north of University Drive West Extension.

Raleigh Road (north side)—NC 15-501 Bypass to Country Club Road

- (b) The following are designated as bike lanes: Country Club Road (east side)—Gimghoul Road to Boundary Street.
- (c) The following are designated as bike lanes for 7:00 a.m. to 9:45 a.m.:
   Cameron Avenue (south side)—South Columbia Street to Merritt Mill Road.
- (d) The following are designated as bike lanes from 3:00 p.m. to 6:00 p.m.: Cameron Avenue (north side)—Fetzer Lane to a point 160 feet west of the center line of Graham Street.
- (e) The following are designated as bike trails: Muirhead Trail—From Cleveland Road to Ridgefield Road.

Glendale Trail—From Weaver Road rightof-way to Valley Park Drive.

(Ord. No. O-78-58, 9-11-78; Ord. No. O-79-52, 9-10-79; Ord. No. O-82-56, 7-12-82; Ord. No. O-84-31, § 2, 4-24-84; Ord. No. O-85-42, § 6, 7-15-85) Cross reference—Bike lane overlay zones, § 21-27.3.

#### Sec. 21-43. Shared facilities.

While roadways are provided for the safety and convenience of vehicles, sidewalks are provided for the safety and convenience of pedestrians and bikeways are provided for the safety and convenience of bicycles, it is recognized that in many instances such facilities may be shared. On shared facilities, the following regulations shall apply:

- (a) When using bike paths and bike trails, pedestrians shall walk as far to the right as practicable; shall walk no more than two (2) abreast: and shall exercise due care. Bicyclists shall give audible signal before passing a pedestrian on a bike path or trail.
- (b) When using sidewalks, bicyclists shall not exceed seven (7) miles per hour, shall yield the right-of-way to pedestrians and shall pass only on the left and only after giving audible warning to pedestrians.
- (c) When using a roadway, bicyclists shall ride as far to the right as practicable, exercising due care when passing a stand-

ing vehicle or one proceeding in the same direction, and shall not pass standing or slower moving vehicles in their lane on the right except as permitted by G.S. 20-150.1.

(d) Persons riding bicycles upon a sidewalk or bikeway shall ride single file except when passing another bicycle.

(Ord. No. O-78-58, 9-11-78; Ord. No. 99-9-13/O-6.1)

#### Sec. 21-44. Reserved.

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Editor's note—Ord. No. 86-11-10/O-2, § 1, adopted Nov. 10, 1986, provided in part for the repeal of § 21-44, prohibiting bicycles on certain sidewalks, which derived from Ord. No. O-78-58, adopted Sept. 11, 1978.

### Sec. 21-45. Applicability of traffic laws.

Every person riding a bicycle upon a public street, bikeway or sidewalk shall be granted all of the rights and shall be subject to all of the duties applicable to the driver of a vehicle by the laws of this state declaring rules of the road applicable to vehicles, this Code or other ordinances of this town applicable to the driver of a vehicle, except as to those provisions of laws and ordinances which by their nature can have no application, and except as otherwise provided in this chapter. (Ord. No. O-78-58, 9-11-78; Ord. No. O-81-39, 5-26-81)

# Sec. 21-46. Obedience to traffic-control devices.

Any person operating a bicycle shall obey the instructions of official traffic-control signs, and other control devices applicable to vehicles and bicycles, unless otherwise directed by a police officer.

(Ord. No. O-78-58, 9-11-78)

# Sec. 21-47. Entering bikeway or roadway.

The operator of a bicycle, before entering a bikeway, shall yield the right-of-way to all bicycles and pedestrians approaching on such bikeway, and before entering a roadway shall yield the right-of-way to all vehicles or bicycles approaching such roadway.

(Ord. No. O-78-58, 9-11-78)

### Sec. 21-48. Reserved.

Editor's note—Ord. No. O-81-30, § 1, enacted April 13, 1981, repealed § 21-48, relative to riding bicycles on a roadway adjacent to bicycle paths or lanes. Said section was derived from Ord. No. O-78-58, adopted Sept. 11, 1978, and Ord. No. O-81-7, adopted Jan. 12, 1981.

### Sec. 21-49. Direction of travel.

The following bikeways are designated for twodirectional traffic:

Airport Road (east side)—Estes Drive to 646 feet south of Estes Drive;

Muirhead Trail:

Glendale Trail.

All other bikeways shall carry bicycle traffic only in the direction of the nearest adjacent traffic lane.

(Ord. No. O-78-58, 9-11-78; Ord. No. O-81-30, § 1, 4-13-81)

# Sec. 21-50. Right-of-way at intersection.

Right-of-way at intersections shall be determined by General Statute wherever applicable, Bicycles using bike lanes and bike paths shall have the right-of-way over vehicles making turning movements from parallel lanes of roadway. (Ord. No. O-78-59, 9-11-78)

### Sec. 21-51. Walking bicycles.

Bicycles may be walked subject to all provisions of law applicable to pedestrians. (Ord. No. O-78-59, 9-11-78)

# Sec. 21-52. Driving vehicles across bikeways.

No person shall drive a motorized vehicle upon or across a bikeway except at public street intersections or to enter a driveway. No person shall drive upon or across a bikeway as permitted by this section except after giving the right-of-way to all bicycles within the lane.

(Ord. No. O-78-59, 9-11-78: Ord. No. O. 81-20.

(Ord. No. O-78-59, 9-11-78; Ord. No. O-81-39, 5-26-81)

### Sec. 21-53. Equipment.

Every bicycle shall be equipped with a lighted lamp on the front thereof, visible under normal

atmospheric conditions from a distance of at least three hundred (300) feet in front of such bicycle, and shall also be equipped with a reflex mirror or lamp on the rear, exhibiting a red light visible under like conditions from a distance of at least two hundred (200) feet to the rear of such bicycle, when used at night. (GS 20-129(e)) (Ord. No. O-78-59, 9-11-78)

#### Sec. 21-53.1. Safety regulations for operators and passengers of bicycles.

- (a) Every person fifteen (15) years of age or under operating a bicycle on a public right-of-way within the town shall wear a protective helmet on his or her head, with the chin strap fastened under the chin. Such helmet shall be fitted to the size of the operator and shall meet or exceed the ANSI (American National Standards Institute) Z90.4 or subsequent bicycle helmet standards, or the Snell Memorial Foundation's 1984 Standard for Protective Headgear for Use in Bicycling or subsequent standards.
- (b) No person operating a bicycle on a public right-of-way shall allow anyone four (4) years old or younger, and weighing forty (40) pounds or less, to ride as a passenger on the bicycle, other than in a seat which shall adequately retain the passenger in place, and protect the passenger from the bicycle's moving parts; or else astride a regular seat of a tandem bicycle.
- (c) No person operating a bicycle on a public right-of-way shall allow anyone to ride as a passenger unless the passenger is wearing a helmet as defined in subsection (a) above or else is in an enclosed trailer or other device which meets or exceeds current nationally recognized standards of design and manufacture for the protection of the passenger's head from impacts in an accident without the need for a helmet.
- (d) A person's first violation of subsections (a), (b), or (c) above shall be dismissed if the person charged with the violation submits proof that equipment meeting the standards has been acquired for use by the operator or passenger. Otherwise any violation is punishable by a civil penalty of not more than ten dollars (\$10.00). (Ord. No. 91-10-14/O-2a)

#### Sec. 21-54. Owner protection and identification; finding and declaration of necessity.

It is hereby found that the number of bicycles owned by the citizens and residents of the Town of Chapel Hill and the operation of bicycles on the public streets have greatly increased in recent years: that the number of accidents involving bicycles while being operated on the public streets has been growing; that larceny of bicycles has risen to many hundreds in recent years with consequent monetary losses formerly in excess of twenty-five thousand dollars (\$25,000.00) per year. and now more than double, and that the rate of monetary loss is steadily increasing; that many of the accidents have occurred by reason of improperly maintained, equipped, or operated bicycles and that the operators thereof have lacked proper personal identification; that theft of bicycles is being encouraged by reason of a lack of registration and proper identification and their recovery is unlikely: that proper identification of bicycles temporarily the subject of unauthorized use and subsequently recovered as abandoned has not been possible, and proper notification to owners has been impeded by lack of sufficient information; that a comprehensive program of inspection, operator education, registration and identification of all bicycles owned and operated in the Town of Chapel Hill as a means of owner protection and identification is necessary and that it is in the public interest that such program be instituted as soon as possible and that the necessity for the provisions hereinafter ordained is hereby declared as a matter of legislative determination to be in the public interest.

#### (Ord. No. O-78-59, 9-11-78)

#### Sec. 21-55. Registration of bicycles generallv.

All bicycles located within the town owned by persons living in the Town of Chapel Hill shall be registered with the town and shall at all times bear a valid registration decal issued by the town. (Ord. No. O-78-59, 9-11-78)

#### Sec. 21-56. Registration of bicycles temporarily operated within the town.

Any bicycle temporarily operated upon public streets and sidewalks of the town by persons not living in the Town of Chapel Hill may be registered with the town in accordance with the provisions of this article. (Ord. No. O-78-59, 9-11-78)

# Sec. 21-57. Transfer of ownership.

The transfer of ownership of any bicycle required to be registered shall be reported to the town and registration by the new owner obtained within thirty (30) days after transfer of ownership.

(Ord. No. O-78-59, 9-11-78)

### Sec. 21-58. Duration of registration.

In order to assure that there exist at all times a current registration and a legible decal on such bicycle for the purpose of identification, registration shall be valid for period ending December 1st in even-numbered years two (2) years after the effective date of these registration provisions; provided, however, that in the event a registration decal becomes illegible by reason of being damaged, defaced, or otherwise mutilated the owner shall immediately apply for a new decal. (Ord. No. O-78-59, 9-11-78)

#### Sec. 21-59. Reserved.

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Editor's note—Section 21-59, setting forth registration fees for bicycles, derived from Ord. No. O-78-59, adopted Sept. 11, 1978, was repealed by Ord. No. O-81-30, § 1, enacted April 13, 1981.

#### Sec. 21-60. Failure to register.

Any person failing to register a bicycle required to be registered by the provision of this article shall be advised of the requirements of registration and shall be issued a warning that in the event said bicycle is not registered within seven (7) days and proof of said registration filed with the police department, he shall be subject to the penalties for violation of this article. (Ord. No. O-78-59, 9-11-78)

#### Sec. 21-61. Penalties.

Any person violating the provisions of section 21-55, 21-57, or 21-58 shall be subject to a fine not to exceed ten dollars (\$10.00). (Ord. No. O-78-59, 9-11-78)

# Sec. 21-62. Mopeds prohibited on sidewalks, bike paths, bike trails; penalty.

It shall be unlawful for any person to ride a moped (as defined in § 21-41(f)) on any sidewalk (as defined in section 21-20.1), or bike path or bike trail (as defined in section 21-41(d) and (e) respectively). A person found in violation of this section shall be subject to a civil penalty not to exceed five dollars (\$5.00). (Ord. No. 86-11-10/O-2, § 1)

#### ARTICLE I. IN GENERAL

# Sec. 21-1. Imposition and levy of motor vehicle tax.

Each motor vehicle owned by a resident owner or operated by a business establishment located within the town limits which is registered for property taxes in the town shall be billed an annual vehicle tax of fifteen dollars (\$15.00). For purposes of this section, the term "motor vehicle" shall not include trailers which are not self-propelled.

The proceeds of said tax shall go into the town's general fund. (Ord. No. 86-1-13/O-1, § 1; Ord. No. 86-9-22/O-1; Ord. No. 91-5-28/O-1; Ord. No. 95-6-26/O-8, § 1; Ord. No. 2000-07-05/O-1, § 1)

# Sec. 21-2. Additional tax for public transportation purposes.

Each motor vehicle owned by a resident owner or operated by a business establishment located within the town limits which is registered for property taxes in the town shall be billed an additional annual vehicle tax of five dollars (\$5.00). For purposes of this section, the term "motor vehicle" shall not include trailers which are not self-propelled.

The proceeds of said tax shall be used only for financing, constructing, operating, and maintaining the town's public transportation system. (Ord. No. 2000-07-05/O-1, § 2)

# Sec./21-2.1. Collection and payment of tax.

The taxes imposed by sections 21-1 and 21-2 shall be billed and collected with the ad valorem personal property taxes imposed on motor vehicles.

(Ord. No. 2000-07-05/O-1, § 3)

Editor's note—Ord. No. 2000-07-05/O-1, § 3, adopted July 5, 2000, amended the Code by adding provisions designated as a new § 21-3. Said provisions have been included herein as § 21-2.1 at the discretion of the editor. See the Code Comparative Table.

# Sec. 21-3. Operation of bicycles, skateboards, roller skates and scooters on certain public streets.

It shall be unlawful for any person to ride a bicycle, skateboard, roller skates or scooter on the sidewalk on either side of Franklin Street between Robertson Lane and the western boundary of the town, on either side of Rosemary Street between Henderson Street and the western boundary of the town, or on either side of Columbia Street between Rosemary Street and Franklin Street. It shall be unlawful to leave a bicycle unattended on the sidewalk on either side of Franklin Street between Henderson Street and Columbia Street, except when placed in the stands provided for that purpose and located within three (3) feet of the outside edge of the sidewalk. A person found in violation of this section shall be subject to a civil penalty not to exceed five dollars (\$5.00).

(Ord. No. O-81-39, 5-26-81; Ord. No. 86-11-10/ O-2, § 1; Ord. No. 88-6-27/O-5, § 1)

Cross reference—Regulations pertaining to bicycles,  $\S~21-41$  et seq.

# Sec. 21-4. Authority of police during fire or other emergency.

In the event of fire or other emergency or when existing conditions may require, members of the police department are hereby authorized to direct traffic and the manner and place of parking vehicles in such manner as conditions may require, notwithstanding the provisions of any ordinance of the town relative to traffic or parking.

# Sec. 21-5. Pedestrians obstructing traffic.

No pedestrian shall be permitted to stand on the motor vehicular portion of any public street in the town or in any manner obstruct motor vehicular traffic, and in crossing the public street all pedestrians shall keep in motion while in this portion of the public street. It shall be unlawful for any person to stop a motor vehicle in the public streets of the town to pick up any pedestrian without first drawing up to the right-hand curb.

(Ord No. O-81-39, 5-26-81)

# Adopted October 27, 2003

# CHAPEL HILL 2006-2012 TRANSPORTATION PRIORITY LIST

- 1. Transit Capital Projects (FY 2006-2010).
- 2. <u>Upgrade Chapel Hill Signal System-</u>Improve Chapel Hill signal system.
- 3. <u>Estes Drive Extension</u> N.C. 86 to Greensboro Street (Carrboro), widen to three lanes with five foot bicycle lanes\* and sidewalks.
- 4. <u>Old Durham-Chapel Hill Road</u>: U.S. 15-501 to I-40-Construct five-foot bikelanes\* and sidewalks.
- 5. <u>Seawell School Road</u>-Improvements from Homestead Road to Estes Drive Extension, including turn lanes, bicycle lanes\*, sidewalks and transit accommodations.
- 6. <u>Homestead Road</u>-NC86 to High School Road, provide bicycle lanes\*, sidewalks and turn lanes.
- 7. <u>Morgan Creek Greenway</u>-Construct a greenway from the Southern Village to Frank Porter Graham Elementary School.
- 8. <u>Estes Drive</u>-NC 86 to Curtis Road, widen existing roadway to include two 12-foot travel lanes, four-foot bicycle lanes\* and sidewalks.
- Community Center to Willow Drive-bicycle and pedestrian connection to Bolin Creek Greenway.
- 10. <u>Franklin Street/Bolin Creek Greenway Pedestrian/Bicycle Access:</u> Install pedestrian/bicycle access between Franklin Street and Bolin Creek Greenway.
- 11. <u>Estes Drive</u>- Curtis Road to Franklin Street, construct sidewalk along entire length and provide pedestrian signal at intersection with Chapel Hill Library Drive.
- 12. <u>Bolin Creek Greenway</u>- Construct a greenway from Airport Road to Umstead Park.
- 13. <u>Barbee Chapel Road</u>- NC54 to Downing Creek Parkway, provide sidewalks and bicycle lanes\*.
- 14. <u>Southern Railroad Greenway</u>- Construct a greenway along the Southern Railroad right of way from Estes Drive to the UNC Horace Williams property.
- 15. <u>Pope Road Ephesus Church Road</u> construct five foot bicycle lanes\*.
- 16. <u>Piney Mountain Road</u>-Improvements from NC 86 to Riggsbee Road, including turn lanes, sidewalks, bicycle lanes\* and transit accommodations.

17. <u>Mount Carmel Church Road</u>: Improvements from U.S. 15-501 South to Chatham County line, to be limited to include bicycle lanes\*, sidewalks, transit and safety improvements.

- 18. <u>Dry Creek Greenway</u>-Construct a greenway from Perry Creek Drive to Erwin Road.
- 19. <u>Upper Booker Creek Greenway</u>-Construct a 10-foot bikeway from the Northern Community Park to Weaver Dairy Road Extension
- 20. <u>Country Club Road</u>-Construct a sidewalk on the east side from South Road to Raleigh Street.
- 21. <u>Fordham Boulevard</u>- Construct a sidewalk along the north side, Manning Drive to Carmichael Street.
- 22. <u>Bolin Creek/Little Creek Greenway</u>-Construct a greenway from Chapel Hill Community Center to Pinehurst Drive.
- 23. <u>Old Mason Farm/Finley Golf Course Road-</u> Construct bicycle lanes\* and sidewalks.
- 24. <u>Erwin Road:</u> Construct bicycle lanes\*, sidewalks and safety improvements, Sage Road to Durham County line.

\*Bicycle lanes will only be constructed if they meet the criteria adopted by the Town of Chapel Hill. If the proposed bicycle lanes do not meet the criteria wide outside lanes will be included in the project

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#### **BICYCLE FACILITIES POLICY**

APPENDIX 5

# A RESOLUTION ADOPTING A POLICY FOR THE CONSTRUCTION OF BICYCLE FACILITIES WITHIN THE TOWN (2003-11-10/R-10)

WHEREAS, it is the goal of the Town of Chapel Hill to accommodate the needs of existing bicyclists; and

WHEREAS, it is the goal of the Town of Chapel Hill to encourage greater use of bicycles as an alternative mode of transportation; and

WHEREAS, the Chapel Hill 2000 Comprehensive Plan includes the objective "develop and maintain a system of safe and efficient bikeways (on-street bike lanes and off-street paths within greenways) designed to contribute to Town-wide mobility, connecting neighborhoods with activity centers, schools, parks, and other neighborhoods"; and

WHEREAS, the Comprehensive Plan recommends the Town "adopt revised roadway standards incorporating on-street bike lanes, including a commitment to install bike lanes in roadway resurfacing projects where feasible; and

WHEREAS, variable circumstances exist in the Town of Chapel Hill such as topography, vehicle speed and volume, impediments such as parked vehicles, drainage grates or raised reflectors, access to public facilities and activity centers and available right of way.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Chapel Hill, that:

- Within the Planning Jurisdiction of the Town of Chapel Hill, the appropriate design, type
  and width of bicycle facilities will be assessed on an individual and site-specific basis
  depending on the circumstances that exist.
- Striped bicycle lanes will normally be provided on newly constructed or reconstructed Arterial Streets; however, when existing Arterial Streets that do not currently have bicycle lanes are resurfaced they will normally be re-striped with bicycle lanes to the extent practicable.
- Either striped bicycle lanes or wide outside lanes may be appropriate on Collector Streets depending on site specific circumstances.
- Local Streets will not normally include extra width for bicycle facilities.

BE IT FURTHER RESOLVED that the Council directs the Manager to utilize this policy in reviewing development plans and in the design of roadway improvements within the Chapel Hill Planning Jurisdiction.

BE IT FURTHER RESOLVED that the Bicycle and Pedestrian Action Plan include discussion of the type, design and width of bicycle facilities that may be appropriate for different streets within the Planning Jurisdiction of the Town of Chapel Hill. Until such time that the Action Plan is completed and adopted by the Town Council, Town staff shall recommend bicycle accommodations on a case by case basis and in accordance with this policy, subject to approval by the Town Council.

This the 10<sup>th</sup> day of November, 2003.





