

"Draft"

Bill No. \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Requested by: Joe Brazil

Sponsored by: Joe Brazil

AN ORDINANCE ESTABLISHING A BICYCLE  
ROUTE MAPPING AND EDUCATIONAL PROGRAM,  
AND REGULATIONS CONCERNING BICYCLE  
SAFETY ON CERTAIN ROUTES

WHEREAS, the St. Charles County Council is concerned about bicycle and motoring traffic on roads in the county, wherever, and for so long as, the roads lack bicycle lanes, in that such roadways carry ever increasing volumes of traffic, including significant truck traffic; and

WHEREAS, **the St. Charles County Council desires to educate both cyclists and motorists about roadway safety and to make information about bicycle safety and regulations available to the public; and**

WHEREAS, pursuant to Section 304.130, RSMo., "For the purpose of promoting the public safety, health and general welfare and to protect life and property..." the St. Charles County governing body is "empowered to adopt, by order or ordinance, regulations to control vehicular traffic upon the public roads and highways in the unincorporated territory of such counties and to establish reasonable speed regulations in congested areas upon such public roads and highways in the unincorporated territory of such counties."; and

WHEREAS, pursuant to the Charter of St. Charles County, Article II, §2.529 the Council is empowered to "(e)xercise

legislative power pertaining to public health and welfare, Police and traffic, building construction, and planning and zoning, in the part of the County outside incorporated Cities, Towns, and Villages, and on such other subjects as may be authorized by the Constitution or by applicable law; and

WHEREAS, the County Council held three (3) public hearings on this ordinance on the following dates: September 7, 2010 (7 pm at the Community Club of New Melle), September 13, 2010 (7 p.m. County Council Meeting) and September 20, 2010(6:30 pm Trinity Lutheran Gymnasium).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The County of St. Charles hereby establishes the bicycle education and map program within the County Highway Department to apprise cyclists of certain characteristics of highways and roads in the unincorporated portion of St. Charles County. The designations and educational materials resulting from this ordinance are in no manner a recommendation that cyclists should ride these highways and roads nor are they intended to assure any cyclist of safety in riding the highways and roads.

Section 2. Definitions.

GREEN roads Highways and roads where the speed limits are under 50 miles an hour and heavy commercial weekday traffic, or farm implement traffic, is not

expected to be present on a regular basis. Green roads may still have limited site distance, may lack shoulders or have intermittent or gravel shoulders.

ORANGE Roads Highways and roads where the speed limits are 50 miles an hour or more. Orange Roads are expected to have heavy commercial traffic and or regular farm implement traffic. Site distance will be generally better than highways or roads designated as Red but may have intermittent or seasonal (e.g., crops) site distance problems.

RED Roads Highways and roads where the speed limits are 50 miles an hour or more. Red roads chronically have limited site distance (hills, crops). Red roads will not have shoulders, or if there are shoulders they are gravel. Cyclists should expect that Red roads will have heavy commercial weekday traffic and/or [agricultural] farm implement traffic.

### Section 3.

The Highway Department shall develop and post signage, and print and distribute maps **through various means, such as the County website and to various organizations such as those whose mission includes trails, parks and promotion of active living**, to reflect the above bicycle route information. The County

Engineer shall notify the Sheriff that such signs have been posted.

Section 4. Cyclists on roads designated "Green" may, and cyclists on roads designated "Red" or "Orange" shall:

1. Ride single file on such roads, unless it is unsafe to do so.
2. Upon Red and Orange roadways, any cyclist proceeding at less than the normal speed of traffic, at the time and place and under the conditions then existing, shall drive in the right-hand lane then available for traffic, and within 20 inches of the right-hand lane stripe, curb or edge of the roadway, except when overtaking and passing another vehicle proceeding in the same direction, when proceeding through an intersection, when necessary to avoid a hazard, or when preparing for a left turn at an intersection or into an alley, private road or driveway. This subsection does not apply to a cyclist who must necessarily drive in a lane other than the right-hand lane to continue on his intended route.
3. Be equipped with a mirror that allows them a view of the road behind them;
4. Equip their bicycle with a the following lights and/or reflectors:
  - (A) Every bicycle when in use from sunset to sunrise or when there is not sufficient light to render discernible any person on the highway or street at a distance of four hundred (400) feet ahead, shall be equipped with the following:
    - (1) A lamp mounted on the front of either the bicycle or the operator that shall emit a white light visible from a distance of at least five hundred (500) feet to the front

and 300 feet to the sides. A generator powered lamp, which emits light only when the bicycle is moving, may be used to meet this requirement;

(2) A red reflector on the rear of a type that shall be visible from all distances from one hundred feet to six hundred feet to the rear when directly in front of lawful lower beams of head lamps on a motor vehicle;

(3) A light emitting either flashing or steady red light visible from a distance of five hundred (500) feet to the rear shall be used in addition to the reflector. If the red light performs as a reflector such that it is visible as specified in (2) above, it shall satisfy the requirement for a reflector.

(B) Additional lights and reflectors may be used in addition to those required under part (A) above except that red lights and reflectors shall not be used on the front of the bicycle nor shall white or colorless lights or reflectors be used on the rear of the bicycle.

5. Be equipped with an adequate brake when used on a street or highway.

Section 5. Cyclists shall obey all traffic regulations unless otherwise set out in this ordinance or unless cycling in a permitted event as set forth in County ordinance. **All equipment requirements set forth in Section 4.2 through 4.4 shall be in effect at all times.** Failure to obey traffic laws and equipment requirements shall be punishable in the same manner as failures of motor vehicles.

Section 6. The Sheriff shall not cite violations of the requirements of

Section 4 for 30 days after the signs designating red and orange roads have been erected, but instead shall issue warning notices to all cyclists found, upon the roads designated red or orange, not riding in conformance with the safety requirements of Section 4.

Section 7. Penalties. A violation of any provision of Sections 4 and 5 above of this ordinance is a misdemeanor punishable by a fine of not more than one thousand dollars.

Section 8. Enforcement and Prosecution. Enforcement of this ordinance shall be the responsibility of the Sheriff's Department and prosecution may be by the Prosecuting Attorney or the County Counselor.

Section 9. Publication of Ordinance. Following passage and approval, this ordinance shall be published at least once in a legal publication or in a newspaper of general circulation in St. Charles County and posted in six (6) public places within St. Charles County.

Section 10. Responsibility for Publication. The County Registrar shall be responsible for publishing this ordinance in accordance with Section 7 of this ordinance. Payment to any publication or newspaper publishing this ordinance shall be from the appropriate line item.

Section 11. Effective Date. This ordinance shall be in full force and effect upon passage and approval, however any penalty provisions shall be effective on the thirty-first (31<sup>st</sup>) day

after publication of this ordinance.

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DATE PASSED

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DATE APPROVED BY COUNTY EXECUTIVE

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CHAIR OF THE COUNCIL

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COUNTY EXECUTIVE

ATTEST:

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COUNTY REGISTRAR





*"Draft"*

Bill No. \_\_\_\_\_ Ordinance No. \_\_\_\_\_

Requested by: Joe Brazil and Jerry Daugherty

Sponsored by: Joe Brazil and Jerry Daugherty

AN ORDINANCE ESTABLISHING PERMITTING  
PROCESS FOR BICYCLE EVENTS AND PROVIDING  
A PROCESS FOR ROAD CLOSURE

WHEREAS, the St. Charles County Council is concerned about bicycle and vehicle safety on roads in the county; and

WHEREAS, pursuant to Section 304.130, RSMo., "For the purpose of promoting the public safety, health and general welfare and to protect life and property..." the St. Charles County governing body is "empowered to adopt, by order or ordinance, regulations to control vehicular traffic upon the public roads and highways in the unincorporated territory of such counties and to establish reasonable speed regulations in congested areas upon such public roads and highways in the unincorporated territory of such counties."; and

WHEREAS, pursuant to the Charter of St. Charles County, Article II, §2.529 the Council is empowered to "(e)xercise legislative power pertaining to public health and welfare, Police and traffic, building construction, and planning and zoning, in the part of the County outside incorporated Cities, Towns, and Villages, and on such other subjects as may be authorized by the Constitution or by applicable law; and

WHEREAS, the County Council held three (3) public hearings on this ordinance on the following dates: September 7, 2010 (7 p.m. at the Community Club of New Melle), September

13, 2010 (7 p.m. County Council Meeting) and September 20, 2010(6:30 PM Trinity Lutheran Church).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. PERMITS FOR ORGANIZED CYCLING EVENTS.

No event, contest, procession, or parade containing twenty (20) or more cyclists on any highway, roadway or street within a two hour window, or any number of riders and a chase/support vehicle, shall occupy or proceed along any highway, roadway or street in the unincorporated county except in accordance with a permit issued by the St. Charles County Sheriff's Department.

1. The Sheriff shall issue permits only where the event organizers have presented a map of the route along with a safety plan that addresses expected traffic issues, including crowd control where Sheriff, after consultation with the event sponsors, determines such measures are necessary.
2. Should the event organizers propose, or the Sheriff determine it is necessary, to close any road(s) the event organizers shall make arrangements with the Sheriff's Department for deputies to be on site to close the road(s).
3. A. The Sheriff shall charge the actual cost of the permit, not to exceed five dollars.  
  
B. The Sheriff shall charge the cost of deputy sheriff time to close a road at the actual cost for a

deputy sheriff(s).

4. A notice shall be placed in a newspaper of general circulation in the County providing notice that a road is to be closed. The notice shall appear at least one week prior to the closure and shall be requested to appear in the area of the paper containing road and traffic information. The notice shall provide the date and times of the road closure and the organization which obtained the permit. The organization sponsoring the event shall be responsible for the cost of the notice, which amount shall be remitted to the Sheriff before the permit shall issue. The Registrar shall place the notices in the newspaper of general circulation on behalf of the Sheriff.
5. No permit shall be granted for a road closure less than fourteen calendar days from the date of the road closure.
6. Any event that initiates, terminates, or has a rest stop within the unincorporated area of the county shall provide for, and show in its safety plan, sufficient restrooms for the expected participants at the site of the initiation, termination or rest site.

Section 2.

Non-Bicycle Events Requiring Road Closure. Events, contest, processions, and parades not involving bicycles requiring road closure and intending to occupy or proceed along any highway, roadway or street in the unincorporated county shall also obtain a permit issued by the St. Charles County Sheriff's Department in accordance with the terms of section 1 of this ordinance.

- Section 3.        Closing Without a Permit.    Closing a road without obtaining a permit is a violation of this ordinance subject to the penalties set forth in Section 4.
- Section 4.        Penalties.    A violation of any provision of this ordinance is a misdemeanor punishable by a fine of not more than one thousand dollars.
- Section 5.        Enforcement and Prosecution.    Enforcement of this ordinance shall be the responsibility of the Sheriff's Department and prosecution may be by the Prosecuting Attorney or the County Counselor.
- Section 6.        Publication of Ordinance.    Following passage and approval, this ordinance shall be published at least once in a legal publication or in a newspaper of general circulation in St. Charles County and posted in six (6) public places within St. Charles County.
- Section 7.        Responsibility for Publication.    The County Registrar shall be responsible for publishing this ordinance in accordance with Section 7 of this ordinance. Payment to any publication or newspaper publishing this ordinance shall be from the appropriate line item.
- Section 8.        Effective Date.    This ordinance shall be in full force and effect upon passage and approval, however any penalty provisions shall be effective on the thirty-first (31<sup>st</sup>) day after publication of this ordinance.

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DATE PASSED

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DATE APPROVED BY COUNTY EXECUTIVE

"Draft"

Substitute Bill No. 3620

Ordinance No. \_\_\_\_\_

Requested by: Joe Brazil

Sponsored by: Joe Brazil

AN ORDINANCE PROHIBITING BICYCLES ON RED  
ROADS ON HIGHWAY DD, HIGHWAY D,  
HIGHWAY F, HIGHWAY Z AND HIGHWAY 94 AS  
LONG AS DEFINED AS A RED LINED ROAD

WHEREAS, St. Charles County Council members are concerned about bicycle and motoring traffic on Highway DD, Highway D, Highway F, Highway Z and Highway 94 as defined as red line roads; and

WHEREAS, pursuant to Section 304.130, RSMo., "For the purpose of promoting the public safety, health and general welfare and to protect life and property..." the St. Charles County governing body is "empowered to adopt, by order or ordinance, regulations to control vehicular traffic upon the public roads and highways in the unincorporated territory of such counties and to establish reasonable speed regulations in congested areas upon such public roads and highways in the unincorporated territory of such counties."; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF ST. CHARLES COUNTY, MISSOURI, AS FOLLOWS:

Section 1. The County of St. Charles hereby prohibits bicycle traffic on red line routes Highway DD, Highway D, Highway F, Highway Z and Highway 94, wherever and for so long as, the highways fall into the red line category.

- Section 2. The County Engineer is directed to post the roads described in Section 1 with signs and to notify the Sheriff that such signs have been posted.
- Section 3. The Sheriff shall not cite bicyclists for 30 days after the signs have been erected, but instead shall issue warning notices to all bicyclists found upon the roads.
- Section 4. Penalties. A violation of any provision of this ordinance is a misdemeanor punishable by a fine of not more than one thousand dollars (\$1,000).
- Section 5. Enforcement and Prosecution. Enforcement of this ordinance shall be the responsibility of the Sheriff's Department and prosecution may be by the Prosecuting Attorney or the County Counselor.
- Section 6. Publication of Ordinance. Following passage and approval, this ordinance shall be published at least once in a legal publication or in a newspaper of general circulation in St. Charles County and posted in six (6) public places within St. Charles County.
- Section 7. Responsibility for Publication. The County Registrar shall be responsible for publishing this ordinance in accordance with Section 7 of this ordinance. Payment to any publication or newspaper publishing this ordinance shall be from the appropriate line item.
- Section 8. Effective Date. This ordinance shall be in full force and effect upon passage and approval, however any penalty provisions shall be effective on the thirty-first (31<sup>st</sup>) day after publication of this ordinance.