



Legislation Text

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City of Alexandria, Virginia

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MEMORANDUM

**DATE:** JUNE 19, 2013

**TO:** THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

**FROM:** RASHAD M. YOUNG, CITY MANAGER /s/

**DOCKET TITLE:**

Second Reading and Final Passage of an Ordinance to Amend Chapter 7 (Bicycles), Title 10 (Motor Vehicles and Traffic) of the Code of the City of Alexandria, Virginia. [ROLL-CALL VOTE]

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**ISSUE:** Recommendation to amend ordinance to be consistent with the Virginia State Code.

**RECOMMENDATION:** That City Council introduced changes to the ordinance on Tuesday, June 11, and held a public hearing on Saturday, June 15, 2013 on the proposed changes to the bicycle section of the City Code; and amend the ordinance to reflect proposed changes on Tuesday, June 25, 2013.

Three speakers testified at the June 15, 2013 City Council public hearing, two of the speakers raised concerns, particularly about bicycle riding on sidewalks in Old Town and the need for criteria to designate sidewalks where bicycle riding is prohibited. A third speaker spoke in favor of the proposed ordinance. In response to the public hearing, staff is proposing a zone where bicycle riding on sidewalks is prohibited. This zone is along King Street, between West Street to the Potomac River, and Union Street, between Cameron Street and Prince Street.

West Street is the chosen western-most boundary of the zone because it is immediately prior to the Jefferson Houston School walking/bicycling to school area, it is within the outdoor dining district, it is close to the boundary of the Central Business District, and sidewalk widths increase between West Street and Diagonal Road on King Street. For Union Street, the zone where bicycling is not permitted on sidewalks is within the Central Business District, are the blocks that have a high percentage of ground floor commercial development, is within the existing outdoor dining zone, and has relatively narrow sidewalks.

Consistent with national best practices, a zone is recommended verses a block by block approach. Zones allow riders to understand which areas are designated for no bicycling on sidewalks and can be clearly indicated on bicycle and wayfinding maps and appropriately signed, and are easier for police to enforce. Criteria for establishing additional zones to prohibit bicycle riding on sidewalks is included in Attachment 3. The criteria requires high pedestrian volumes, with a relatively high percentage of the block face with commercial development, an existing outdoor dining zone, and with relatively narrow sidewalks, for example with a clear width of five feet or less.

**DISCUSSION:** With exception to the helmet rules of the code, the City's bicycle code has not been updated since 1963. To be consistent with the State of Virginia code and neighboring jurisdiction's codes, staff is proposing updates to Chapter 7 of title 10 of the Code of the City of Alexandria. Attachment 1 contains all proposed changes.

Proposed changes include:

- 1) Removing the local bicycle registration requirement since the National Bike Registry is now utilized nationally to register bicycles;
- 2) Making the City code consistent with the State code regarding how bicycles are operated on the roadway, and;
- 3) Removing the requirement that bicycles utilize paths on certain roadways;
- 4) Revise the rules regarding bicycle riding on sidewalks.

Currently the City of Alexandria code, title 10-7-4 states that with exception of police officers, no bicycle can be operated on a sidewalk except sidewalks designated by City Council resolution as bicycle routes. Any cyclist riding on a city sidewalk for any distance in a non-designated area may be subject to a citation. This causes problems for young or less confident cyclists, or cyclists on major arterials in the City and roads with high vehicular volumes and speeds, such as Duke Street or Beauregard Street.

The State of Virginia code, 46.2.904, states that bicycles may be ridden on sidewalks unless prohibited by local ordinance or traffic control devices, and if so, signs must be posted with the prohibition. Following the State code, recently Arlington County updated their code section 14.2-65, to state that persons of any age may ride a bicycle upon any sidewalk, except for those sidewalks, designated by the County Manager. Signs indicating such prohibition shall be conspicuously posted in general areas where bicycle riding is prohibited.

To be consistent with the State code and neighboring jurisdictions, staff is proposing the following section to replace existing Section 10-7-4(d) of the City code:

Sec. 10-7-4 - Non-roadway Bicycle routes; Duties of riders. Unless designated by signage prohibiting such conduct, persons may ride a bicycle upon any sidewalk located within the City, subject to the following conditions:

- 1) A person riding a bicycle on a sidewalk or shared-use path shall yield the right-of-way to any pedestrian and shall give an audible signal, either verbally or by the use of a bell or other device capable of giving a signal audible for a distance of 100 feet, before overtaking and passing a pedestrian;
- 2) A person riding a bicycle on a sidewalk or shared-use path shall have all the rights and duties of a pedestrian under the same circumstances;
- 3) Bicycling on the sidewalk shall be prohibited in King Street/Union Street Commercial Zone. This zone is on King Street, from West Street east to the Potomac River, and on Union Street, between Prince Street and Cameron Street.
- 4) The designation of additional zones within which riding bicycles on the sidewalk is prohibited shall be determined by the Director of Transportation & Environmental Services after consultation with the chief of police and a public hearing before and recommendation from the Traffic & Parking Board, pursuant to criteria to be promulgated by the Director of Transportation and Environmental Services.

It should be noted that section 10-7-3, a provision that existed in the old code, was retained to provide the Alexandria Police Department with a tool to combat bicycle theft. The decision to retain this was made following the Traffic and Parking Board hearing. Larceny of bicycles accounts for more than five percent of total theft in the City to date, which doesn't include the burglaries committed to get at the bicycles.

**BACKGROUND:** Staff presented the proposed changes to the ordinance and public comment was sought at the Alexandria Bicycle and Pedestrian Advisory Committee meeting on April 15, 2013, the Transportation Commission meeting on May 8, 2013, a public hearing was held at the Traffic and Park Board's May 20, 2013 meeting, and a public hearing was held at the City Council's June 15, 2013 meeting. In addition to the above meetings, notification of the code change was sent to communication outlets, including the city website, social media, and other outlets.

Speakers at the Traffic and Parking Board public hearing, including those that had been ticketed for riding on sidewalks, spoke in support of the proposed changes to the code. Speakers at the Alexandria Bicycle and Pedestrian Advisory Committee meeting also spoke in favor of the changes, with the exception that the proposed ban on sidewalk riding in the King Street Dining overlay zone or in future dining zones was not supported.

The Traffic and Parking Board recommended that there be an age limit of fourteen with an accompanying adult(s) for sidewalk riding. In addition, the Traffic and Parking Board recommended that children aged 14 and under with an accompanying adult(s) may ride on any sidewalk in the City. Further the Traffic and Parking Board recommended allowing sidewalk riding for children aged 14 and under with an accompanying adult(s) within the King Street Dining overlay zone, as this zone overlaps with the school walking/biking zones.

Staff incorporated the Traffic and Parking Board recommendation regarding the King Street Dining overlay zone or future dining zones. However, staff did not incorporate an age limit on sidewalk riding. The age limit recommendation would be difficult to enforce because the Alexandria Police Department would need to ask individuals to produce identification to demonstrate age, and those age 14 and under would not have driver's licenses or other forms of identification. Second, in providing a regional bicycle network, and education about the rules, it is most helpful to have consistency among neighboring jurisdictions that share Alexandria's borders. Arlington County and Fairfax County allow

bicycling on sidewalks unless a sign is posted.

**FISCAL IMPACT:** There is no fiscal impact.

**ATTACHMENTS:**

Attachment 1: Ordinance Cover

Attachment 2: Ordinance

Attachment 3: Criteria for Additional Zones for Prohibiting Bicycle Riding on Sidewalks

Attachment 4: PowerPoint

**STAFF:**

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