

ORDINANCE # 5925

**AN ORDINANCE REPEALING BICYCLE REGISTRATION REQUIREMENTS  
BY AMENDING CHAPTER 10.64 OF THE RAPID CITY MUNICIPAL CODE.**

WHEREAS, the City of Rapid City pursuant to Rapid City Municipal Code (“RCMC”) Chapter 10.64 currently requires persons engaged in the business of buying and selling new or secondhand bicycles to register each bicycle sold with a distinguishing registration number, and to further make a monthly report of the same to the Rapid City Police Department; and

WHEREAS, the City of Rapid City pursuant to RCMC Chapter 10.64 currently requires every owner of a bicycle not previously registered as aforementioned to register each bicycle with the Rapid City Police Department; and

WHEREAS, RCMC Chapter 10.64 provides for a registration fee of \$1 in cases of registration by persons engaged in the business of buying and selling new or secondhand bicycles, which fee may be retained by said merchant to offset the costs associated with the registration of bicycles; and

WHEREAS, RCMC Chapter 10.64 requires every person who sells or transfers ownership of a bicycle to notify the City, and requires the new owner to apply to the City for transfer of the bicycle license tag; and

WHEREAS, currently residents of the City of Rapid City who ride or propel an un-registered bicycle on any City street or bicycle path do so in violation of RCMC 10.64.030(E.); and

WHEREAS, the Common Council of the City of Rapid City desires to eliminate the bicycle registration requirements and fee by repealing the bicycle registration requirements found in RCMC §§ 10.64.030 through 10.64.080; and

WHEREAS, pursuant to SDCL § 9-29-1, the City has the authority to exercise jurisdiction for the purpose of promoting the health, safety, morals, and general welfare of the community; and

WHEREAS, the Common Council of the City of Rapid City finds that it is not necessary to require bicycle registration within the territorial jurisdiction of the City of Rapid City in order to promote the health, safety, morals, and general welfare of the community.

NOW, THEREFORE, BE IT ORDAINED by the City of Rapid City that sections 10.64.030 through 10.64.080 of the Rapid City Municipal Code are repealed as follows:

**~~10.64.030 Registration Required.~~**

~~—A.— A person engaged in the business of buying and selling new or secondhand bicycles shall register the name and address of each purchaser, the bicycle serial number, make, style, general description or stamp a distinguishing register number for each bicycle.~~

~~—B.— Every owner of a bicycle not previously registered as provided in subsection A. of this section shall register with the Police Department his or her name, address and the serial number, make, style and general description of his or her bicycle.~~

~~—C.— The person engaged in the business of buying or selling new or secondhand bicycles may charge a registration fee of not more than \$1; the fee for the registration may be retained by the merchant of offset costs associated with the registration of the bicycles.~~

~~—D.— Upon change of ownership, the registration must stay with the bicycle and be transferred to the new owner, who shall apply for the transfer within 10 days after change of ownership.~~

~~—E.— No person who resides in the city shall ride or propel a bicycle on any street or any public path set aside for the exclusive use of bicycles, unless the bicycle has been registered in accordance with this section.~~

**~~10.64.040 Registration Fee.~~**

~~—The fee for the registration pursuant to § 10.64.030A. shall be \$1, payable to the person engaged in the business of buying or selling new or secondhand bicycles; the fee for the registration may be retained by the merchant to offset costs associated with the registration of the bicycles.~~

**~~10.64.050 License tag Change of ownership.~~**

~~—Upon change of ownership, the license tag must stay with the bicycle and be transferred to the new owner, who shall apply for the transfer within 10 days after change of ownership.~~

**~~10.64.060 License tag Replacement.~~**

~~—For replacement of lost or missing license tags, a new number shall be issued to the owner upon payment of a fee of \$1 to the city's Finance Office and the original registration shall be deemed canceled.~~

**~~10.64.070 Dealers Reporting requirements.~~**

~~—A person engaged in the business of buying or selling new or second bicycles shall be responsible and accountable to submit on a monthly basis a report giving the name and address of the person from or to whom each bicycle is purchased or sold, and the description and the serial number of the sold or purchased bicycle to the Rapid City Police Department.~~

**~~10.64.080 Sale or transfer Reporting requirements.~~**

~~—Except as otherwise provided in § 10.64.070, every person who sells or transfers ownership of any bicycle shall report to the city's Finance Office, within 10 days of the date of the sale or transfer, the name and address of the person to whom the bicycle was sold or transferred.~~

CITY OF RAPID CITY

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Mayor

ATTEST:

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Finance Officer

(SEAL)

First Reading:

Second Reading:

Published:

Effective: