City of Madison

Legislation Details (With Text)

File #:	48539	**Version:**	1	**Name:**	Establishing a procedure for disposal of abandoned bicycles
Type:	Ordinance			**Status:**	Passed
File created:	8/22/2017			**In control:**	PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION (ended 6/2018)
On agenda:	9/5/2017			**Final action:**	10/3/2017
Enactment date:	10/12/2017			**Enactment #:**	ORD-17-00105

Title: Amending Section 12.761(3) and creating Section 12.761(4) of the Madison General Ordinances to establish a procedure for the disposal of abandoned bicycles.

Sponsors: Ledell Zellers, Michael E. Verveer

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
10/3/2017	1	COMMON COUNCIL	Adopt	Pass
9/26/2017	1	PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION (ended 6/2018)		
9/11/2017	1	FINANCE COMMITTEE	Return to Lead with the Recommendation for Approval	Pass
9/5/2017	1	PEDESTRIAN/BICYCLE/MOTOR VEHICLE COMMISSION (ended 6/2018)	Referred	
9/5/2017	1	COMMON COUNCIL	Refer	Pass
8/22/2017	1	Attorney's Office/Approval Group	Referred for Introduction	

Fiscal Note

There is no fiscal impact with the approval of this ordinance.

Title

Amending Section 12.761(3) and creating Section 12.761(4) of the Madison General Ordinances to establish a procedure for the disposal of abandoned bicycles.

Body

DRAFTER'S ANALYSIS: This ordinance permits the police department to dispose of any abandoned bicycle after reasonable attempts have been made to notify the owner of the bicycle and forty-five days have passed since the bicycle was abandoned. The ordinance further permits the police department to place the abandoned bicycle up for auction, public sale, donation to a non-profit, disposed as waste or any other reasonable method of disposal.

****

The Common Council of the City of Madison do hereby ordain as follows:

1. Subsection (3) entitled “Removal” of Section 12.761 entitled “Abandoned Bicycles” of the Madison General Ordinances is amended to read as follows:

"(3) Removal. If a bicycle remains in violation of sub. (1) more than 48 hours after the Notice of Abandonment has been affixed in compliance with sub. (2), that bicycle may be removed by any police officer; City Traffic Engineer and Parking Manager's designee; or Superintendent of Parks designee, and immediately thereafter delivered to the police property room. However, before any designated person removes a bicycle they shall first determine whether their agency has designated the bicycle as "not abandoned." A bicycle designated "not abandoned" may not be removed. A bicycle removed under this section shall remain in the custody of the police department until it is retrieved by the owner or otherwise disposed of according to ~~law~~ sub. (4)."

2. Subsection (4) entitled "Disposal of Abandoned Bicycles" of Section 12.761 entitled "Abandoned Bicycles" of the Madison General Ordinances is created to read as follows:

"(4) Disposal of Abandoned Bicycles.

(a) Upon removal, an abandoned bicycle shall be held a minimum of forty-five (45) days by the police department unless earlier redeemed by the owner. The police department shall make a reasonable effort to identify and notify the owner of the bicycle.

(b) Bicycles that are not redeemed within forty-five (45) days may be disposed of in any of the following ways: public auction, sale of the bicycle through the Internet, donation to non-profit entities, disposal as waste, or other reasonable methods of disposal. For purposes of disposal, a bicycle that has remained unclaimed for a period of forty-five (45) days becomes the property of the City."

powered by Legistar™