



# CITY OF PITTSBURGH

“America’s Most Livable City”

*Office of Mayor Luke Ravenstahl*

## Issues involved in parking a bicycle in Pittsburgh

### **Where can a cyclist park their bicycles?**

Within the City of Pittsburgh, bicycling is a growing trend of transportation. According to census information for Pittsburgh 1,635 people use different means of transportation, other than a motor vehicle or walking to work. This is a 14 % rise since the previous census (Department of City Planning, 2000), which shows that there is some rise in bicycling, just to work.

This creates the issue of where to park a bicycle within the city. Similar to parking a motor vehicle, parking a bicycle is complicated in the city. In order to try and overcome this difficulty, cyclists manage to park their bicycles anywhere they can, where there are no racks available.

The larger issue involved is that cyclist don’t know what’s private and public property in the city. For that reason, their bicycles are subjected to being clipped and confiscated by private property owners. Leaving cyclists to assume their bicycle has stolen because property owners provide no indication that the bicycle is being stored until claimed.

Consequently, this leaves cyclist in a quandary regarding what is an acceptable place to park their bicycles.

### **Defining Private Property, State Code, and City Code**

In order to understand where bicycles are allowed to be parked when no racks available, there is an importance in understanding of what private property is. Additionally, knowledge of to what is stated within the Pennsylvania State Code and the City of Pittsburgh about bicycling.

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Private property in legal terms can be defined as real property. Real property is defined as,

“Property consisting of land, buildings, crops, or other resources still attached to or within the land or improvements or fixtures permanently attached to the land or a structure on it”

The significance is that certain real estate properties are privately owned. In return along with items such as, flag poles, gates, and so forth resting on set property. This allows the property owners the right to confiscate items chained to their property. As well, in Pittsburgh Code of Ordinance (§417.02) on *Pavement Protection under Sidewalk and Curb Maintenance*, it is the property owner’s duty to maintain their property and adjoining streets in safe conditions. Subsequently, allowing the property owners to decide if a bicycle chained to their property is safe for pedestrians on the sidewalks.

Within the state code a bicycle is not a bicycle, but a pedalcycle (75 Pa.C.S §102) . And in accordance with the state code for bicycle parking on a sidewalk,

“A person may park a pedalcycle on a sidewalk unless prohibited or restricted by an official traffic-control device. A pedalcycle parked on a sidewalk shall not impede the normal and reasonable movement of pedestrian or other traffic.”

Within the same code it declares for parking on a roadway that,

“A pedalcycle may be parked on the roadway at any angle to the curb or edge of the roadway at any location where parking is allowed. A pedalcycle may be parked on the roadway abreast of another pedalcycle or pedalcycles near the side of the roadway at any location where parking is allowed. A person shall not park a pedalcycle on a roadway in such a manner as to obstruct the movement of legally parked motor vehicles. In all other respects, pedalcycles parked anywhere on a highway shall conform with the provisions of Subchapter E of Chapter 33” (75 Pa.C.S §3509)

Therefore, according to state code, bicycles are allowed to be parked on the sidewalk as long as it does not obstruct with pedestrian traffic.

## **Complying with the law and accommodating the public**

In keeping with state code on bicycle parking, city code on private property, definition of private property, and the City of Pittsburgh Bicycle Plan. Bicycle parking needs to be improved within the city, on top of promoting the current bicycle parking situation. (Department of City Planning, 1999)

As well as, property owners could manage to provide some indication that a bicycle has been confiscated. Although, state code and city code permits the property owners to decide what to do about a bicycle parked on their property. It is their decision if a parked bicycle is obstructing pedestrian traffic or providing unsafe conditions, as a result, property owners a right to remove bicycles.

Finally, cyclists need to be more considerate of property owners and pedestrians because where they park their bicycles can affect the public around them. Along with, the cyclists need to comply with state and city code for bicycling and parking. Also, there needs to be an understanding that cyclist are attaching their bicycles to private property, located on the public streets, which if the property owners do not want them there they have the right to confiscate the bicycle.

## **Conclusion**

Clearly then, an effort needs to be made in order to resolve the issues surrounding bicycle parking within the city. This includes, but not limited to:

- City promoting the current bicycle parking situation.
- Cyclist being more cautious to where the park their bicycles on sidewalks.
- Private property owners giving some indication if a bicycle has been confiscated and not stolen.

Together with Bike Pittsburgh and the Pittsburgh Downtown Partnership, City Planning is working to add bicycle parking and signage throughout downtown Pittsburgh. By achieving some of these, bicycle parking can only improve within the City of Pittsburgh.

## Citations

72 P.S.C §1301.9 (2006).

75 Pa.C.S §3509 (2006)

75 Pa.C.S §102 (2006)

75 Pa.C.S §3353 (2006)

Pittsburgh Code of Ordinance §417.02

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