

## **I. Purpose**

The University encourages the use of bicycles, but such use necessarily requires the establishment of certain rules in order to promote compliance with applicable laws and maintain safety. In particular, bicycles stored or parked on campus must be kept in designated areas, which include bicycle racks and any bicycle storage rooms that may be so designated from time-to-time. Bicycles locked or parked anywhere else can create a safety hazard in the event of fire or other emergency. Further, keeping bicycles in designated areas allows easy access to bicycle racks and maintains a clean campus environment. In furtherance of the foregoing purposes, the University has established this Bicycle Use and Abandoned Bicycle Policy.

## **II. Bicycle Usage**

City of Chicago ordinance mandates that no one over the age of 11 may operate a bicycle on a sidewalk. Further, for the safety of pedestrians on the campuses, bicycles are not allowed to be ridden on campus sidewalks, ramps or stairs. Exclusive of any storage areas that the University may designate from time-to-time, bicycles are not allowed to be brought inside a campus building. This prohibition applies to all students, faculty, staff and guests and includes residence halls, academic and administrative buildings.

## **III. Securing of Bicycles**

There are numerous bicycle racks on the University's Main Campus and several on or near the University's other campuses. These racks may be supplemented from time-to-time by designated enclosed bicycle corral spaces for bike storage. These are the only designated locations at which bicycles may be secured. Any bike found to be secured to any other location, including, but not limited to, a railing, sign, fence, garbage can, bench, tree or post is subject to having the lock cut and the bike relocated by the Office of Campus Energy and Sustainability (OCES). The University will not reimburse individuals for locks that have been cut to remove bicycles not secured in accordance with this Policy. Those who have had an improperly secured bicycle removed should contact OCES at 312-567-3447 or [campussustainability@iit.edu](mailto:campussustainability@iit.edu) to identify and claim it.

## **IV. Abandoned Bicycles.**

OCES conducts monthly bicycle counts and will take note of abandoned bikes on a regular basis. A bicycle shall be deemed abandoned if it: (1) is in a state of disrepair as to be incapable of being operated in its present condition, or (2) has not been moved or used in more than 30 days and bears physical indicia of having been deserted. Physical indicia of desertion include,

but are not limited to, excessive rust, rust on chain, seat and handlebars coated in dirt or dust, and/or flat tires.

Any bicycle deemed abandoned pursuant to the above will have a notice (non-reusable removable plastic seal) affixed to it which informs the bicycle's owner that the bicycle appears to be abandoned. This notice will indicate: (1) the phone number and e-mail address to contact OCES to advise that the bicycle is not abandoned; and (2) the date after which the bicycle may be removed if it is not claimed by its owner. A record of the bicycle information (location, make, color, and serial # if possible) will be recorded, along with the date of observation.

A bicycle shall not be deemed to be abandoned if the owner of the bicycle, within 14 days of the affixing of the notice of abandonment, relocates the bicycle or notifies OCES that it is not abandoned.

If a bicycle is not relocated or claimed by its owner within 14 days of the affixing of a notice of abandonment, the bicycle will be removed and retained by OCES for a period of 30 days. If, after being removed, a bicycle is not claimed by its owner within the 30-day holding period, it will become the property of Illinois Institute of Technology, and it may after be used, sold, auctioned or scrapped as the University deems appropriate. To reclaim an impounded bike during the 30-day holding period, contact OCES at 312-567-3447 or [campussustainability@iit.edu](mailto:campussustainability@iit.edu).

OCES, at its discretion, may temporarily suspend the tagging and removal of abandoned bicycles to account for extended periods of owner's absence. This may include but is not limited to: Summer Break, Winter Break and Spring Break.

The above policy also encompasses any parts of a bicycle on campus (i.e. a tire, frame without wheels, etc.) as well as the actual lock or chain that is affixed to a rack but is not presently secured to a bicycle.

The University will not be responsible for any bicycles illegally secured in or on campus property or abandoned on University property.

## **V. Release and Waiver of Liability**

The University will not be liable for – and bicycle owners by accessing and using University property and/or facilities waive – all claims for loss, theft or damage to property or the property of any person claiming by, through or under this Policy resulting from:

- Wind and weather;
- The failure of any sprinkler, heating or air-conditioning equipment, electric wiring or gas and water or steam pipes;
- The backing up of any sewer pipe or downspurt;
- The bursting, leaking or running of any tank, water closet, drain or other pipe;
- Water, snow or ice on top of or coming through the roof, skylight, stairs, doorways, windows, walks or any other place near the building; and

- Any act or omission of any kind by any individual(s), exclusive of gross negligence or willful misconduct by a University officer, employee or agent.

No officer, employee or agent of the University is, or shall be deemed, personally liable for the performance of any obligations under this Policy. To the extent not covered by the foregoing waiver and release, bicycle owners by accessing and using University property and/or facilities acknowledge, agree and consent to the liability of the University being limited to the lesser of (i) actual losses, or (ii) \$100.