

CHAPTER 34

SKATEBOARDS AND OTHER SELF- PROPELLED VEHICLES

BOROUGH OF WYALUSING
ORDINANCE NO. 34

AN ORDINANCE NO. 34 REGULATING SKATEBOARDS AND OTHER SELF-PROPELLED VEHICLES, OF THE CODE OF THE BOROUGH OF WYALUSING, COUNTY OF BRADFORD, COMMONWEALTH OF PENNSYLVANIA.

The Borough of Wyalusing hereby ordains and enacts as follows:

The purpose of this Ordinance to regulate skateboards, roller skates, roller blades and inline skates, scooters, or similar wheeled devices or other similar equipment or devices used for sliding, gliding, or coasting. The Borough has the authority to regulate streets 53 P.S. § 46202, Specific powers,

(17) Street and sewer regulations; obstructions. To regulate the streets, sewers, public squares, common grounds, sidewalks, curbs, gutters, culverts and drains, and the heights, grades, widths, slopes and construction thereof; and to prohibit the erection or construction of any building or other obstruction to the convenient use of the same.

(18) Riding or driving on sidewalks. To prohibit or regulate the riding or driving of animals, or the passage of any vehicle, over, along and across sidewalks.

WHEREAS, the use of skateboards on heavily traveled public sidewalks is deemed to be a safety hazard; and

SECTION 1. DEFINITIONS.

STREET: The word "street" as used in this Ordinance shall include public highways, boulevards, avenues, alleys, and all other Borough property, parks, sidewalks, and other accessible property, which would be considered public property;

OPERATOR: The term "Operator" as used in this Ordinance shall be the individual operating a skateboard, scooter, inline skates, commonly known as rollerblades, roller skates, or similar wheel devices, or similar equipment or devices used for sliding, gliding, or coasting.

VEHICLE: The word “vehicle” as used in this Ordinance shall include skateboards, scooters, in-line skates, commonly known as roller blades, or roller skates, or similar wheeled devices, or similar equipment or devices used for sliding, guiding, or coasting except unlicensed handicapped vehicles.

SECTION 2. RECKLESS OPERATION PROHIBITED; NUMBER OF PASSENGERS;

It shall be unlawful for any person to operate a vehicle (as defined in this Ordinance) in the Borough of Wyalusing in a manner, which could cause bodily injury to the rider of the vehicle or pedestrian, or in any reckless manner. It shall be unlawful for any operator of any vehicle as defined in this Ordinance to cling to any other moving motor vehicle in Wyalusing Borough.

SECTION 3. SIDEWALK RIDING OF SELF PROPELLED VEHICLES AND SKATING PROHIBITED.

It shall be unlawful to ride a self-propelled vehicle as defined in this Ordinance and/or skate on a sidewalk in the Downtown Commercial District as defined in the Borough Zoning Ordinance.

SECTION 4. INTERFERENCE WITH PEDESTRIANS PROHIBITED.

A. It shall be unlawful for any person to operate a vehicle in such a manner as to interfere with any pedestrian who is exercising due care or to allow such a vehicle (as defined by this Ordinance) to obstruct pedestrian traffic.

B. It shall be unlawful for any person to skate in such a manner as to interfere with any pedestrian who is exercising due care or to allow such a skating activity (as defined by this Ordinance) to obstruct pedestrian traffic.

SECTION 5. REGULATIONS OF SKATEBOARDS AND SCOOTERS

A. Skateboard and Scooter Defined. A vehicle propelled by human power and gravity consisting of material or portion of material formed in a thin firm sheet with wheels attached to the underside.

B. Prohibited Locations. It shall be unlawful for any person to engage in skateboarding or ride upon, or propel any skateboard and/or scooter upon the

streets and sidewalks located within the Borough of Wyalusing Downtown Commercial CD District, and also upon a sidewalk, Borough Park or Municipal Parking Lot as defined in the Borough Zoning Ordinance.

C. Obedience of persons engaged in skateboarding and/or human propelled scooter to traffic-control devices and regulations.

- (a) A person engaged in skateboarding and/or human propelled scooter shall obey the instructions of a Ordinance Enforcement Officer or any other official authorized to direct, control or regulates traffic.
- (b) A person engaged in skateboarding and/or human propelled scooter shall obey traffic and pedestrian control signals as provided under Pa. Motor Vehicle Code, Sections 3112 (relations to traffic-control signals) and Section 3113 (relating to pedestrian control signals).

D. Right-of-way to Pedestrians. The person engaged in skateboarding shall yield the right-of-way to any pedestrian and may not overtake or pass a pedestrian while riding upon or propelling the skateboard and/or human propelled scooter. The operator of such skateboard and/or human propelled scooter shall dismount from the skateboard and/or human propelled scooter and shall pass or overtake the pedestrian on foot, or wait until the pedestrian passes, prior to remounting the skateboard and/or human propelled scooter.

E. Right-of-way to Motor Vehicles. No person engaged in skateboarding and/or human propelled scooter shall suddenly leave a curb, sidewalk, berm or street or any other place of safety and ride upon or propel any skateboard and/or human propelled scooter into or towards the path of a vehicle which is so close as to constitute a hazard. Where there are no pedicycle lanes, persons engaged upon skateboarding and/or human propelled scooter upon a roadway shall ride as near to the right of the roadway as practical, exercising due care when passing a standing vehicle or on proceeding in the same direction.

F. Ramps and Devices. No person shall place a ramp, half-pipe or other structure used for skateboarding and/or human propelled scooter, or skating in a public thoroughfare, street, upon a sidewalk, Borough park, or municipal parking lot within the Borough of Wyalusing.

SECTION 6. VIOLATIONS AND PENALTIES

Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof:

SKATEBOARD AND SCOOTER VIOLATIONS:

- a. First Offense. The skateboard and/or human propelled scooter used in violations of this resolution shall be impounded by the Ordinance Enforcement Officer of the Borough for a period not exceeding fifteen (15) days. If the person violating the Ordinance is a minor, in addition to confiscation of the skateboard and/or human propelled scooter as aforementioned, the Ordinance Enforcement Officer shall notify the parents, guardian, or other person having legal custody of said minor of the violation of this Ordinance and the impounding of the skateboard and/or human propelled scooter. In addition, said individual shall be provided with a copy of this Ordinance.
- b. Second and/or Subsequent Offense. The skateboard and/or human propelled scooter of any person violating the provisions of this Ordinance for the second and/or subsequent time shall be impounded by the Ordinance Enforcement Officer of the Borough for a period not exceeding thirty (30) days and said person shall, upon conviction, be sentenced to pay a fine of \$15.00 and costs. In the event said person is a minor, the skateboard and/or human propelled scooter of said minor shall be impounded by the Ordinance Enforcement Officer of the Borough for a period not exceeding thirty (30) days and the parent, guardian, or other person having legal custody of said minor shall be, upon conviction, be sentenced to pay a fine of not less than fifteen (15.00) dollars nor more than three hundred (\$300.00) dollars, plus costs of prosecution.

c. OTHER VEHICLE VIOLATIONS:

Any person violating this ordinance shall be guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of not less than fifteen (15.00) dollars nor more than three hundred (\$300.00) dollars, plus costs of prosecution.

This ordinance will take effect immediately.