

ORDINANCE NO. 504

**LIMITING THE USE OF SKATEBOARDS IN THE
BOROUGH OF SPRING CITY, CHESTER COUNTY, PENNSYLVANIA**

BE IT ENACTED by the Borough Council of the Borough of Spring City, Pennsylvania and it is hereby ordained by the same as follows:

SECTION ONE: SKATEBOARD DEFINED. A vehicle propelled by human power and gravity consisting of material or portion of material formed in thin firm sheet with wheels attached to the underside.

SECTION TWO: PROHIBITED LOCATIONS. It shall be unlawful for any person to engage in skateboarding or ride upon, or propel any skateboard upon any public streets or public sidewalks within the boundary lines of the Borough of Spring City during the listed prohibited times.

SECTION THREE: PROHIBITED TIMES. It shall be unlawful for any person to engage in skateboarding or ride upon, or propel any skateboard upon any public thoroughfare, street, or sidewalk in the Borough of Spring City

- A. Between sunset and sunrise on any day.
- B. At any other time when, due to insufficient light, or unfavorable atmospheric conditions, persons are not clearly discernible from a distance of 100 feet.

SECTION FOUR: Obedience of persons engaged in skateboarding to traffic-control devices and regulations.

- A. A person engaged in skateboarding shall obey the instructions of a police officer or other appropriately attired-person authorized to direct, control or regulate traffic.

B. A person engaged in skateboarding shall obey traffic and pedestrian control signals as provided under Pa. Motor Vehicle Code Sections 3113 (relating to pedestrian-control signals), and Section 3112 (relating to traffic-control signals) and Section 3111 relating to obedience to traffic-control devices).

SECTION FIVE: 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. The operator of such skateboard shall dismount from the skateboard and shall pass or overtake pedestrian on foot, or wait until the pedestrian passes, prior to remounting the skateboard.

SECTION SIX: RIGHT-OF-WAY TO MOTOR VEHICLES. No person engaged in skateboarding shall suddenly leave a curb, sidewalk, berm or street or any other place of safety and ride upon or propel any skateboard into or toward the path of a vehicle which is so close as to constitute a hazard. Where there are no pedacycle lanes, persons engaged in skateboarding upon a roadway shall ride as near to the right of the roadway as practical, exercising due care when passing a standing vehicle or one proceeding in the same direction.

SECTION SEVEN: RAMPS AND DEVICES. No person shall place a ramp, half-pipe or other structure used for skateboarding in a public thoroughfare, street, or upon a sidewalk within the Borough of Spring City.

SECTION EIGHT: VIOLATIONS AND PENALTIES. Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof:

A. First Offense – The skateboard used in the violation of this ordinance shall be impounded by the police department of the Borough of Spring City for a period not exceeding fifteen (15) days and the violator shall pay all costs. If the person violating the ordinance is a minor, in addition to the confiscation of the skateboard as aforementioned, the Spring City Borough Police shall notify the parents, guardian, or other persons having legal custody of said minor of the violation of this ordinance and

the impounding of the skateboard. In addition, said individual shall be provided with a copy of this ordinance.

B. Second and/or subsequent offense – The skateboard of any person violating the provisions of this Ordinance for the second and/or subsequent time shall be impounded by the Borough of Spring City Police Department for a period not exceeding thirty (30) days and said person shall be sentenced to pay a fine of twenty-five (\$25.00) and costs. In the event said person is a minor, the skateboard of said minor shall be impounded by the police department of the Borough for a period not exceeding forty-five (45) days and the parent, guardian, or other person having legal custody of said minor shall be sentenced to pay a fine of twenty-five (\$25.00) and costs.

SECTION NINE: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

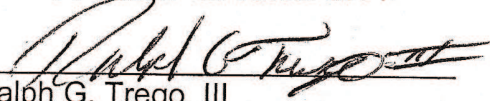
SECTION TEN: This ordinance shall take effect immediately.

ORDAINED AND ENACTED THIS 2ND DAY OF NOVEMBER, 2009.

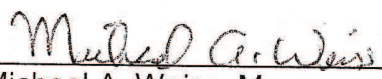
ATTEST:


Dennis Rittenhouse, Administrator

BOROUGH OF SPRING CITY


Ralph G. Trego, III
President of Borough Council

EXAMINED AND APPROVED BY THE MAYOR THIS 6th DAY OF NOVEMBER, 2009.


Michael A. Weiss, Mayor