

ORDINANCE NO. 96-6

LIMITING THE USE OF SKATEBOARDS  
IN THE BOROUGH OF EAST PROSPECT

BE IT, AND IT IS HEREBY ORDAINED, by the Borough Council of the Borough of East Prospect as follows:

Section 1. Skateboard 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.

Section 2. Prohibited Locations. It shall be unlawful for any person to engage in skateboarding or ride upon, or propel any skateboard upon the streets and sidewalks within the Borough.

Section 3. 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, sidewalk in the Borough of East Prospect.

- 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 4. 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 Pennsylvania Motor Vehicle Code, Sections 3112 (relating to traffic-control signals) and Section 3113 (relating to pedestrian control signals.)

Section 5. 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 the pedestrian on foot, or wait until the pedestrian passes, prior to remounting the skateboard.

Section 6. Ramps and Devices. No person shall place a ramp, half-pipe or other structure used for skateboarding in a public thoroughfare, street, upon a sidewalk within the Borough of East Prospect.

Section 7. Violations and Penalties. Any person who shall violate any of the provisions of this Ordinance shall, upon conviction thereof:

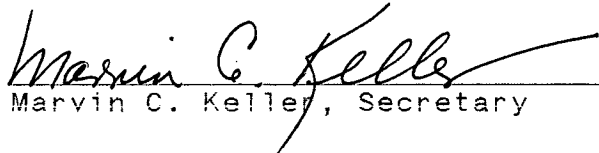
- A. First Offense. The skateboard used in violation of this resolution shall be impounded by the Police Department for a period not exceeding fifteen (15) days. If the person violating the Ordinance is a minor, in addition to the confiscation of the skateboard as aforementioned, the Borough Police shall 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. 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 Police Department of the Borough for a period not exceeding thirty (30) days and said person shall, upon conviction, be sentenced to pay a fine of \$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 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 \$25.00 and costs.

Section 8. This Ordinance shall become effective immediately upon its adoption.

ENACTED AND ORDAINED this 2nd day of April 1996.

  
Donald E. Barshinger, President

ATTEST:

  
Marvin C. Keller, Secretary

  
Maxine J. Kuntz, Mayor