

# Skateboard Ordinance

## Definitions:

Words and phrases defined for the purposes of this Ordinance shall have the meanings set forth in this section, unless normal construction in context shall clearly indicate to the contrary:

- (1) "Skateboard" has its ordinary meaning and includes a board of any material with wheels affixed to the underside, designed to be ridden by a person. For the purposes of this Ordinance the term "skateboard" shall include the terms "scooter" and "coaster".
- (2) "Riding a skateboard" means standing with one or both feet touching the skateboard, crouching, sitting or lying upon the skateboard while it is in motion and/or propelling a skateboard.
- (3) Negligent maneuver means any maneuver that may or cause injury to a person, including the rider, and/or damage to property, and/or any maneuver that threatens such injury or damage.

## SKATEBOARDING PROHIBITED

It shall be unlawful for any person to ride a skateboard in any area of the City designated herein as an area where skateboarding is prohibited and/or in negligent manner as provided herein:

## AREAS OF CITY SKATEBOARDING IS PROHIBITED

Skateboarding shall be prohibited in the City of Caspian on the following:

- City Hall and City Hall grounds including sidewalks, parking areas, driveway, stairs and rails, yards, and all areas associated with the City Hall;
- City Garage and City Garage grounds including sidewalks, parking areas, driveways, stairs and rails, yards, and all areas associated with the City Garage;
- Apple Blossom Trail, including the trail, shoulders and surrounding areas;
- Caspian Avenue from County Road 424 to Brady Avenue;
- Brady Avenue; and
- Including sidewalks adjacent to said avenues and streets.

**NEGLIGENT SKATEBOARDING**

**It shall be a violation of this Ordinance for any person to ride a skateboard in a negligent manner within the City of Caspian.**

**COMPLIANCE WITH TRAFFIC REGULATIONS**

**In areas of the City where skateboarding is not prohibited, it shall be a violation of this Ordinance for any person to ride a skateboard in a manner contrary to traffic and/or pedestrian regulations.**

**UNCONTROLLED SKATEBOARD PROHIBITED**

**It shall be a violation of this Ordinance for any skateboard to be out of the direct physical control of the owner or user while it is in motion anywhere within the City of Caspian. Any skateboard in violation of this provision is subject to seizure and forfeiture as provided herein.**

**SEIZURE AND FORFEITURE**

**Whenever a law enforcement officer has probable cause to believe that a skateboard was used or is intended to be used in violation of this Ordinance, such skateboard is subject to seizure and forfeiture. In the event of seizure pursuant to this Ordinance, forfeiture shall be deemed complete unless the owner requests a hearing before the Magistrate. At such hearing the forfeiture shall be ordered upon the officer's showing of probable cause as provided herein.**

**PENALTIES**

**Upon the admission or determination of responsibility for a violation of this Ordinance, the responsible person shall be assessed the following civil fines and costs:**

<b><u>First Violation</u></b>	<b><u>Second Violation</u></b>	<b><u>Third or More Violation</u></b>
<b>\$50.00</b>	<b>\$150.00</b>	<b>\$300.00</b>

**and all costs incurred by the City in enforcement and prosecution including actual attorney fees. In addition, violators shall be responsible for reimbursement/restitution for damage caused by the violation.**

**EFFECTIVE DATE:**

**This Ordinance is necessary to protect the health, welfare, and safety of the people of the City of Caspian and, therefore, this Ordinance shall become effective immediately upon publication.**