

ORDINANCE NO. 2010-03

AN ORDINANCE PROHIBITING THE USE OF SKATEBOARDS, ROLLER SKATES, ROLLER BLADES, SCOOTERS OR BICYCLES IN PORTIONS OF MEMORIAL PARK AND THE DOWNTOWN BUSINESS DISTRICT IN THE BOROUGH OF MONTROSE

WHEREAS, the Borough Council has certain safety concerns regarding the use of skateboards, roller skates, roller blades, scooters and bicycles in portions of Memorial Park and the downtown business district of the Borough of Montrose.

WHEREAS, the safety of citizens who utilize the portions of Memorial Park and pedestrians in the downtown business district of the Borough of Montrose should not be jeopardized by the use of skateboards, roller skates, roller blades, scooters and bicycles.

WHEREAS, the Borough Council has concerns with its general liability if it does not take action to prevent foreseeable injuries to citizens and pedestrians who utilize the portions of Memorial Park and the downtown business district from the misuse of skateboards, roller skates, roller blades, scooters and bicycles in said areas.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Council of the Borough of Montrose and it is hereby enacted and ordained by the council of same, as follows:

1. It shall be unlawful for any individual to use a skateboard, roller skates, roller blades, scooters and bicycles on portions of Memorial Park and on the sidewalks, parking lots and curbs in the downtown business district of the Borough of Montrose.

(a) The downtown business district shall be defined to include: the full length of Church Street, Grow Avenue, Public Avenue, Maple Street, Chestnut Street, Strawberry Lane, Beech Street, Spruce Street, Lake Avenue, Chenango Street; and the portion of South Main Street: from Church Street to Cemetery Street..

(b) Portions of Memorial Park shall include the access ramp, pavilion/play area, and the walking track.

2. Any individual found to be in violation of this Ordinance shall be subject to the penalties in the Order set forth below:

(a) A first offense shall result in the confiscation of the skateboards, roller skates, roller blades, scooters and bicycles for a period of thirty (30) days.

(b) A second and any subsequent offense shall result in the imposition of a fine of fifty dollars (\$50.00).

(c) In the event a minor is involved with any of the offenses enumerated above, the parent(s) or guardian(s) shall be served with a written notice of the infraction and person who shall be responsible for the payment of same.

(d) No skateboards, roller skates, roller blades, scooters and bicycles shall be returned to a minor without a parent or guardian present.

3. Any prior ordinance inconsistent with the provisions contained herein shall be repealed.

ENACTED AND ORDAINED into an Ordinance this 13th day of September, 2010.

ATTEST:

Erim A Jenner
Secretary

BOROUGH OF MONTROSE

BY: Todd Chamberlain
President of Council

John Wilson
John Wilson, Mayor

Approved this 13th day of September, 2010.

