

ORDINANCE NUMBER 193

REGULATING THE USE OF WHEELED DEVICES INCLUDING SKATEBOARDS, STREET SKATES, ROLLER BLADES, ROLLER SKATES, SCOOTERS, UNLICENSED, MOTORIZED SCOOTERS, CYCLES AND MOPEDS ON STREETS AND SIDEWALKS IN THE BOROUGH OF CHRISTIANA

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Christiana, County of Lancaster, Commonwealth of Pennsylvania, as follows:

Section 1. Definitions:

A. Wheeled Device. Any device which, by means of one or more wheels may be used to move a person or object from one point to another by riding thereon or attached to such device. The term shall include but not be limited to devices popularly known as skateboards, street skates, roller skates, roller blades, scooters, motorized scooters, cycles, mopeds as well as variants and hybrids of these devices. The term shall exclude vehicles and devices which are licensed by the Commonwealth of Pennsylvania, Bureau of Motor Vehicles or the similar licensing agency of another state. The term shall additionally exclude unmotorized bicycles.

B. Central Business District. All of Gay Street and South Bridge Street from East Siokom Street to Ann Street and Water Street from South Bridge Street to Ann Street. For the purpose of this definition, the word street shall include the sidewalk adjacent to or lying parallel to and near the named street.

Section 2. Prohibition: No person shall ride, use or operate a Wheeled Device anywhere in the Borough of Christiana without complying with the terms of this Ordinance.

Section 3. Central Business District: No person shall ride, use or operate a Wheeled Device on any street or sidewalk in the Central Business District. This section of this Ordinance shall not apply to a person who can produce a statement from the family's church authorities attesting that it is against the tenets of the family's religion to operate a licensed motor vehicle.

Section 4. Streets: No person shall ride, use or operate a Wheeled Device on any street except for the purpose of crossing the street and only at a designated pedestrian crossing area. The laws, regulations and rules pertaining to pedestrians crossing streets shall apply to persons crossing a street riding, using or operating a Wheeled Device. Every person crossing a street riding, using or operating a Wheeled Device shall yield the right of way to every pedestrian crossing the street in the same proximity. No person crossing a street riding, using or operating a Wheeled Device shall do so too fast for the conditions then and there existing.

Section 5. Sidewalks: Every person riding, using or operating a Wheeled Device on a sidewalk shall yield the right of way to every pedestrian on the sidewalk in the same proximity. Every person riding, using or operating a Wheeled Device on a sidewalk shall exercise due care for the safety of other persons using the sidewalk. It shall be unlawful for any person to leave a

Wheeled Device on a sidewalk in such a manner as to obstruct pedestrian traffic.

Section 6. Private Property: No person shall ride, use or operate a Wheeled Device on private property without the express permission of the owner of the property.

Section 7. Parental Responsibility: The parent of any child or the guardian of any ward shall not authorize or knowingly permit any such child or ward to violate any of the provisions of this Ordinance.

Section 8. Severability: The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision hereof shall be held to be illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Borough Council of the Borough of Christiana that this ordinance would have been enacted if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein

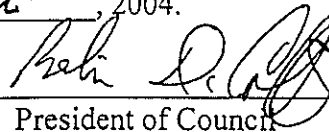
Section 9. Violations and Penalties:

A. For a first offense, a warning shall be issued to the violator. The warning may include notification that a second offense will involve the impoundment of the Wheeled Device which was involved in the violation for a period not exceeding fifteen (15) days.

B. For a second offense, the Wheeled Device which was involved in the violation shall be impounded by the Police Department of the Borough of Christiana for a period not exceeding fifteen (15) days.

C. For a third offense, the Wheeled Device which was involved in the violation shall be impounded by the Police Department of the Borough of Christiana for a period not exceeding thirty (30) days. In addition to or in lieu of impoundment, the violator may be sentenced to a fine of not less than twenty-five (\$25.00) dollars nor more than six hundred (\$600.00) dollars plus the costs of prosecution.


ORDAINED AND ENACTED this 7th day of Sept., 2004.



President of Council

Attest: J. Verne D. Retter
Secretary

APPROVED this 7th day of Sept., 2004.



Mayor