

BOROUGH OF ADAMSTOWN

Lancaster and Berks Counties, Pennsylvania

ORDINANCE NO. 339

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF ADAMSTOWN, CHAPTER 15 THEREOF, MOTOR VEHICLES, TO REVISE REGULATIONS FOR PEDALCYCLES AND TO ESTABLISH REGULATIONS FOR ROLLER VEHICLES OPERATED IN THE BOROUGH.

BE AND IT IS HEREBY ORDAINED AND ENACTED by Borough Council of the Borough of Adamstown, Lancaster and Berks Counties, Pennsylvania, as follows:

Section 1. The Code of Ordinances of the Borough of Adamstown, Chapter 15, Motor Vehicles, Part 1, General Regulations, §101 Definitions and Interpretation, shall be amended by inserting the following subsections:

7. The term "pedalcycle" as used in this Chapter shall mean a device propelled solely by human-powered pedals.

8. The terms "roller skates" and "street skates" as used in this Chapter shall mean a device having multiple sets of wheels affixed to shoes and used to glide over hard surfaces by an individual.

9. The term "roller vehicle" as used in this Chapter shall mean any skateboard, street skates, roller skates, scooters and/or big wheels.

10. The term "scooter" as used in this Chapter shall mean a vehicle consisting of a narrow board mounted on two (2) wheels tandem, and guided by a handle attached to the front wheel. The individual stands with one foot on the board and pushes the device with the other foot.

11. The term "skateboard" as used in this Chapter shall mean a device consisting of a flat surface constructed of wood, metal, plastic, fiberglass or similar material with two (2) or more wheels affixed to the underside and which is used by a person for coasting and guided by the distribution of weight of the user.

12. The term “street” as used in this Chapter may be used interchangeably with the word “highway”, and shall have the same meaning as the word “highway” as defined in the Vehicle Code.

Section 2. The Code of Ordinances of the Borough of Adamstown, Chapter 15, Motor Vehicles, Part 6, Regulation of Pedalcycles, shall be deleted in its entirety and replaced with a new Part 6, Regulation of Pedalcycles and Roller Vehicles, which shall provide as follows:

Part 6
Regulation of Pedalcycles and Roller Vehicles

§601. Operation of Pedalcycles.

1. Pedalcycles may be operated upon sidewalks and streets provided that the person operating said pedalcycle shall do so in a safe and responsible manner and shall always yield the right-of-way to pedestrians.

2. No person shall operate a pedalcycle upon any private parking lot or other private property without the express consent of the owner or a responsible agent for such owner.

3. Notwithstanding any other provision of this §601, a member of the Police Department may operate a pedalcycle on any street or sidewalk with the Borough in the performance of such officer’s duties.

§602. Operation of roller vehicles.

1. No person shall operate a roller vehicle upon any public street or highway within the Borough.

2. Roller vehicles may be operated upon sidewalks provided that the person operating said roller vehicle shall do so in a safe and responsible manner and shall always yield the right-of-way to pedestrians.

3. No person shall operate a roller vehicle upon any private parking lot or other private property or upon the Borough basketball courts or tennis courts without the express consent of the owner or a responsible agent for such owner.

§603. Enforcement. It shall be the duty of the police officers, acting in accordance with the directions of the Chief of Police, to enforce the regulations and prohibitions contained in this Part.

§604. Violations and Penalties. Any person who shall violate any provisions of §601 or §602 shall be subject to the following penalties.

1. First offense: The pedalcycle, roller skates, street skates, skateboard, or scooter shall be

impounded by the Police Department for a period not to exceed 15 days.

2. Second and subsequent offenses: The pedalcycle, roller skates, street skates, skateboard, or scooter shall be impounded by the Police Department for a period not to exceed 30 days and/or the user shall be sentenced to pay a fine of not more than \$600 plus all court costs, including reasonable attorney fees incurred by the Borough.

Section 3. All other parts, sections, subsections, and provisions of the Code of Ordinances of the Borough of Adamstown shall remain in force and effect as heretofore enacted.

Section 4. 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 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 5. This Ordinance shall take effect and be in force after its enactment by the Borough Council of the Borough of Adamstown as provided by law.

DULY ORDAINED AND ENACTED this 6th day of May, 2008, by Borough Council of the Borough of Adamstown, Lancaster and Berks Counties, Pennsylvania, in lawful session duly assembled.

BOROUGH OF ADAMSTOWN
Lancaster and Berks Counties, Pennsylvania

Attest: Mary L. Buehler
(Assistant) Secretary

By: [Signature]
(Vice) President
Borough Council

[BOROUGH SEAL]

Examined and approved as an Ordinance this 6th day of May, 2008.

David M. Buchwalter
Mayor