

AN ORDINANCE PROHIBITING THE USE OF SKATEBOARDS, ROLLER SKATES, STREET SKATES; AND SCOOTERS ON PUBLIC STREETS IN EAST COCALICO TOWNSHIP AND REGULATING THE USE THEREOF ON SIDEWALKS.

WHEREAS, the use of skateboards, roller skates, street skates, and scooters within East Cocalico Township has resulted in numerous complaints from the traveling public, residents and pedestrians; and

WHEREAS, the use of skateboards, roller skates, street skates, and scooters are prohibited on a street used for vehicular traffic and should only be used in a safe and responsible manner on sidewalks within the Township.

NOW, THEREFORE, BE AND IT IS HEREBY ORDAINED AND ENACTED by the Board of Supervisors of the Township of East Cocalico:

SECTION 1. DEFINITIONS

(A) Public Street: The entire width between the boundary lines of every way publicly maintained when any portion thereof is open to the use of the public for vehicular traffic including, but not limited to, streets, alleys, roads, boulevards, etc.;

(B) Roller Skate, Street Skate: A device having multiple sets of wheels affixed to shoes and used to glide over hard surfaces by an individual.

(C) Scooter: 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.

(D) Skateboard: 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.

(E) Township: The Township of East Cocalico Township, County of Lancaster and Commonwealth of Pennsylvania.

SECTION 2. It shall be unlawful for any person to use skateboards, roller skates, street skates, or scooters on any public street within the Township.

SECTION 3. ENFORCEMENT.

It shall be the duty of the police officers of East Cocalico Township to enforce the regulations and prohibitions contained in this Ordinance.

SECTION 4. SIDEWALKS.

Skateboards, roller skates, street skates, and scooters may be operated upon sidewalks within the Township between 8:00 AM and sunset provided that the person operating the skateboard, roller skates, street skates, or scooters shall do so in a safe and responsible manner and shall always yield the right-of-way to pedestrians. It shall be unlawful for any

person to use any skateboard, roller skates, street skates. or scooters on any sidewalk in a reckless manner.

SECTION 5. PENALTY FOR VIOLATION.

Any person who shall violate any provision of this Ordinance shall be subject to the following penalties:

A. First Offense: The skateboard, roller skates, street skates, or scooters shall be impounded by the police department of the Township for a period not exceeding fifteen (15) days:

B. Second and Subsequent Offenses : The skateboard, roller skates. street skates, or scooters shall be impounded by the police department of the Township for a period not to exceed thirty (30) days and/or the user shall be sentenced to pay a fine of not more than Six Hundred Dollars (\$600.00) plus all court costs, including reasonable attorney fees incurred by the Township. The civil enforcement proceeding shall be initiated by complaint or by such other means as may be provided by the Pennsylvania Rules of Civil Procedure in accordance with 53 P.S. Section 66601 as amended.

SECTION 6. 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 of provisions of this Ordinance. It is hereby declared to be the intent of the Township that this Ordinance would be enacted, if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had been included herein.

SECTION 7. This Ordinance shall become effective five (5) days from the date hereof.

ENACTED AND ORDAINED this 1st day of November, 2000.