

TOWN OF YORKTOWN

INTRO. ___ OF 2010

Local Law No. __ for the Year 2010

Adopted _____, 2010

A LOCAL LAW to adopt a new Chapter 243 of the Code of the Town of Yorktown entitled “SKATEBOARDS, IN-LINE SKATES, ROLLER SKATES AND SCOOTERS” relating to regulations governing the use of these items within the Town of Yorktown.

Be it enacted by the Town Board of the town of Yorktown as follows:

Section 1. Enact new Chapter 243

Part II of the Town Code of the Town of Yorktown is hereby amended to add a new Chapter 243 to read as follows:

Article I

Section 243-1. Legislative Findings

The Town Board of the Town of Yorktown hereby finds that the use of in-line skates, roller skates, scooters and skateboards in certain places within the Town of Yorktown create a public safety hazard and are also causing damage to town-owned property and as such it is necessary to provide for the safety, health and general welfare of the residents of the Town of Yorktown and the users of public spaces within the Town of Yorktown, and to protect and preserve public property within the Town of Yorktown by regulating the use of in-line skates, roller skates, scooters and skateboards within the Town boundaries.

Section 243-2 Definitions

IN-LINE SKATES: Shoes, skates or footwear with a single row of wheels.

ROLLER SKATES: Shoes, skates or footwear with two or more rows of roller wheels.

SCOOTER: A vehicle, whether motorized or non-motorized, consisting of a long footboard between two or more wheels, controlled by an upright steering handle attached to the front wheel.

SKATEBOARD: A single, narrow platform which is mounted on wheels, which control the direction of movement thereof while being used, operated or ridden.

Section 243-3 Use restrictions

No person shall ride, operate or use in-line skates, roller skates, scooters or skateboards in town-owned or town-leased parking lots, in town parks, and in any areas of town-owned park facilities specifically designated for riding, operating or using in-line skates, roller skates, scooters and skateboards in the following fashion:

- a. In a careless manner without due caution and circumspection; or
- b. While endangering or in any manner creating a risk or danger to any person or property; or
- c. Causing damage to property; or
- d. In any manner so as to impede or interfere with pedestrian or vehicular traffic.

Section 243-4. Penalties

Any person found violating this chapter shall be guilty of a violation punishable by a fine not to exceed \$25 for the first offense and not more than \$50 for each offense thereafter.

Article II

Section 2. Chapter 213, Section 8 of the Code of the Town of Yorktown is hereby amended in its entirety to read as follows:

Chapter 213-8 Ice Skating

A. No person shall ice skate, sled, walk or go upon any ice or snowshoe or ski on any town property except at such times and upon such places as may be designated for such use, and until such ice is declared by or under the authority of the Superintendent to be in safe condition.

B. No towing of persons on skis, sleds, ice skates shall be allowed.

Article III

Section 3. Supersession of conflicting law.

Where the requirements of this Local Law impose a different restriction or requirement than imposed by other sections of the Code of the Town of Yorktown, the Town Law of the State of New York or other applicable rules or regulations, the requirements of this Local Law shall prevail.

Section 4. Severability.

The invalidity of any work, section, clause, paragraph, sentence, part or provision of this local law shall not affect the validity of any other part of this local law that can be given effect without such invalid part or parts.

Section 5. Effective Date.

This Local Law shall take effect immediately upon its adoption and filing with the Secretary of State.