

RECORD OF ORDINANCES

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. **2004-01**

Passed **April 20**, **2004**
YEAR

AN ORDINANCE AMENDING CHAPTER 377 OF THE CODE OF ORDINANCES OF THE CITY OF BROOKVILLE.

WHEREAS, skateboarding, rollerblading and in-line skating on public streets creates a public safety hazard; and

WHEREAS, Council of the City of Brookville has deemed it necessary to amend certain sections of Chapter 377 to limit skateboarding, rollerblading and in-line skating on public streets.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BROOKVILLE, OHIO THAT:

SECTION I: Section 377.01 is hereby amended as follows:

A person may rollerblade or in-line skate on a public street provided that said person follow the regulations specified in Section 377.02, except that on those streets and public grounds provided in Section 377.04, rollerblading and in-line skating is prohibited.

SECTION II: Section 377.02 is hereby amended as follows:

When a person is rollerblading or in-line skating on a street, the person shall:

- (a) Obey the instructions of official traffic control devices and signals applicable to vehicles, unless otherwise directed by a police officer;
- (b) Skate as near to the right side of the roadway as practicable obeying all traffic rules applicable to vehicles and exercise due care when passing standing vehicles;
- (c) Skate in a line of no more than two skaters abreast in a single street lane, and the skaters shall move to a single line on the right side of the road when a vehicle is attempting to pass the skaters on a single street lane;
- (d) Skate in pedestrian crosswalks when crossing a street, yielding the right of way to vehicles in the street approaching the intersection;
- (e) When emerging from or turning into an alley, driveway, or building shall, upon approaching a sidewalk or the sidewalk area extending across any alley, driveway, or building, yield the right of way to all pedestrians approaching on such sidewalk area. Upon entering the street, the skater shall yield the right of way to all vehicles approaching on such street;
- (f) Not impede street traffic by congregating in the street or by playing street hockey or other games in the street and failing to leave the street when street traffic approaches;
- (g) Fail to leave a street surface upon instruction of a police officer to leave the street;
- (h) Whoever violates this section should be subject to the penalty specified in Section 377.99 of the Code of Ordinances.

SECTION III: Section 377.03 is hereby renumbered as Section 377.05, and shall remain in full force and effect as previously enacted.

SECTION IV: The following section is hereby adopted as Section 377.03, to provide as follows:

No person shall skateboard on any street except when crossing a street on a crosswalk and when so crossing such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians. Whoever violates this section shall be subject to the penalty specified in Section 377.99 of the Code of Ordinances.

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SECTION V: Section 377.99 is hereby amended as follows:

Whoever violates any provision of this Chapter shall be guilty of a minor misdemeanor.


SECTION VI: This Ordinance shall amend or repeal all Ordinances and Resolutions, and parts of Ordinances and Resolutions in conflict herewith, and specifically, amends Chapter 377.

SECTION VII: This Ordinance shall be in full force and effect from and after the earliest period allowed by law after passage by the Council of the City of Brookville.

PASSED this 20th day of April, 2004.

ATTEST:


Sonja M. Keaton, Clerk


David E. Seagraves, Mayor

CERTIFICATE

The undersigned, Clerk of the City of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 2004-01, passed by the Council of the City of Brookville, Ohio, on the 20th day of April, 2004.


Sonja M. Keaton, Clerk

CERTIFICATE OF POSTING

The undersigned, Clerk of the City of Brookville, Ohio, hereby certifies that the foregoing Ordinance No. 2004-01 was posted at the City Building, US Post Office and the Brookville Branch of the Montgomery County Public Library, Brookville, Ohio, on the 21st day of April, 2004 to the 21st day of May, 2004, both days inclusive.


Sonja M. Keaton, Clerk