

RECORD OF ORDINANCES

Dayton Legal Blank Co.—10116

Ordinance No. 1995-08

Passed May 2nd 19 95

AN ORDINANCE REGULATING ROLLERBLADING, IN-LINE SKATING OR SKATEBOARDING IN THE MUNICIPALITY OF BROOKVILLE, OHIO, AND DECLARING IT AN EMERGENCY.

WHEREAS, the Police Department and the Council of the Municipality of Brookville are concerned about the safety of individuals who are rollerblading, in-line skating or skateboarding within the Municipality of Brookville, Ohio; and

WHEREAS, the Council of the Municipality of Brookville deems it necessary to adopt this Ordinance to promote safe rollerblading, in-line skating or skateboarding in the Municipality of Brookville, Ohio.

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

SECTION 1: A person or persons rollerblading, in-line skating or skateboarding shall skate upon a sidewalk instead of the street where ever the sidewalk is available, and the surface of the sidewalk is sufficiently flat to permit the person or persons to skate thereon.

SECTION 2: When a person is rollerblading, in-line skating or skateboarding 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;

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(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.

SECTION 3: No parent, guardian, or custodian of any skater under 18 years of age shall authorize or knowingly permit any such skater to violate any of the provisions of this Ordinance.

SECTION 4: Any person who violates any provision of Section 2 of this Ordinance shall receive a warning; for a second offense committed within one (1) year after the commission of the first offense, the person shall be guilty of a minor misdemeanor; for a third and/or subsequent offense committed within one (1) year after the commission of the first offense, the person shall be guilty of a fourth degree misdemeanor.

SECTION 5: This Ordinance shall revoke and rescind all Ordinances and parts of Ordinances, and Resolutions and parts of Resolutions in conflict herewith.

SECTION 6: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of health and safety of the citizens of the Municipality of Brookville who are participating in rollerblading, in-line skating or skateboarding, and this Ordinance shall take effect immediately upon its passage by this Council.

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ATTEST:


E. Eugene Roeser, Clerk


Michael A. Duncan, Mayor

CERTIFICATE

The undersigned, Clerk of the Municipality of Brookville, Ohio, does hereby certify that the foregoing is a true and correct copy of Ordinance No. 1995-08, passed by the Council of said Municipality on the 2nd day of May, 1995.


E. Eugene Roeser, Clerk

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CERTIFICATE OF POSTING

The undersigned, Clerk of the Council of the Municipality of Brookville, Ohio, hereby certifies that a copy of the foregoing Ordinance was posted at the Municipal Building, U.S. Post Office and the Brookville National Bank, Brookville, Ohio on the 5th day of May, 1995 to the 5th day of June, 1995, both days inclusive.



E. Eugene Roeser, Clerk