

STEWARTSTOWN BOROUGH

York County, Pennsylvania

ORDINANCE NO. 2003-002

AN ORDINANCE

**AN ORDINANCE OF THE BOROUGH COUNCIL OF STEWARTSTOWN
BOROUGH, YORK COUNTY, PENNSYLVANIA PROHIBITING THE USE OF
SKATEBOARDS ON PUBLIC SIDEWALKS, COMMERCIAL BUSINESSES,
AND OTHER DESIGNATED AREAS**

BE IT ORDAINED AND ENACTED by the Borough Council of Stewartstown Borough, York County, Pennsylvania, as is hereby ordained and enacted by the Authority of the same as follows:

Section 1. Definitions. As used in this Ordinance, the following terms have the meaning indicated, unless a different meaning clearly appears from the context:

Borough – the word Borough shall refer to the Borough of Stewartstown, located in York County, Pennsylvania.

Owner – any person, firm, partnership, association or corporation having a right of property.

Private Property – any property that is owned by a person, firm, partnership, association or corporation that is located within the Borough. This includes private streets, roads, and alleys.

Commercial Property – shopping centers, professional buildings, single standing retail establishments, banks, churches, funeral homes, and any other building or

lot which is used for industrial or commercial purposes including, but not limited to parking lots, sidewalks, walkways, porches, and any paved area adjacent to the commercial property provided these restrictions have been conspicuously posted on the property on signage in compliance with Borough regulations.

Section 2. Restrictions. It shall be unlawful for any person to use, ride, propel or otherwise operate skateboards, roller blades, scooters, roller skates, in-line skates or other similar riding equipment on all sidewalks designated in Section 3 hereafter and on any street, alley, and alleyway within the Borough of Stewartstown.

Section 3. The following streets sidewalks are hereby designated as subject to the restrictions of Section 2 above:

- a. All sidewalks adjacent to PA State Route 24 (also known as N. Main St. and S. Main St.) for its entire length.
- b. All sidewalks adjacent to PA State Route 851 along Hill St., W. Pennsylvania Ave., and College Ave.
- c. All sidewalks along Ballast La.

Section 4. It shall be unlawful for any person to use ride, propel or otherwise operate a skateboard, rollerblades, scooters, roller skates, in-line skates or other similar riding equipment on commercial property which has been posted on signage approved by the Stewartstown Borough Police Department notifying the public of the restriction.

Section 5. It shall be unlawful for any person to use ride, propel, or otherwise operate skateboards, roller blades, scooters, roller skates, in-line skates or other similar riding equipment in any area of a park or public recreation area which has been posted with signage approved by the Stewartstown Borough Police Department notifying the public of the restriction.

Section 6. Penalties. Any individual in violation of the provisions hereof, shall upon conviction thereof in a summary proceeding before any District Magistrate, be sentenced to pay a fine of not less than twenty-five (\$25.00) dollars and not more than three hundred (\$300.00) dollars together with the costs of prosecution and default thereof, to undergo imprisonment, not to exceed thirty (30) days. Each day that a violation of any provision of this Ordinance occurs shall constitute a separate violation and shall be subject to a separate and distinct fine.

Section 7. Civil Fine in Lieu of Prosecution. An individual upon receipt of a violation notice may pay in person the sum of fifteen (\$15.00) dollars within five (5) business days after receiving the violation notice, or he/she may place a check or money order along with the violation notice in the fine box. (Also known as the overnight drop box) That act will save the violator from criminal prosecution and from payment of the fine and costs prescribed in the preceding section.

Section 8. Repealer. All ordinances or parts of ordinances, which are inconsistent herewith, are hereby repealed.

Section 9. Severability. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of Stewartstown Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

Section 10. Effective Date. This Ordinance shall take effect immediately upon its passage.

ENACTED AND ORDAINED this 6th day of January 2003, by the Borough Council of Stewartstown, York County, Pennsylvania in lawful session duly assembled.

ATTEST:

BOROUGH COUNCIL OF THE
BOROUGH OF STEWARTSTOWN

Susan M. Gano
Secretary

BY: *Theretta Gibbs*
President of Council

Approved this the 6th day of January 2003.

BY: *Richard R. Hall*
Mayor