

ORDINANCE NO. 164

AN ORDINANCE TO REGULATE THE TIME AND PLACE FOR THE USE OF ANY SKATEBOARD, IN-LINE SKATES, ROLLER SKATES, OR SIMILAR CONTRIVANCE WITHIN THE CITY OF LUNA PIER, MICHIGAN, MONROE COUNTY, AND TO PROVIDE PENALTIES FOR THE VIOLATION OF THE ORDINANCE.

The City of Luna Pier Ordains:

Section 1. Title:

This ordinance shall be known, referred to and cited as the Luna Pier Skate Board, Roller Skate, and In- Line Skating Ordinance.

Section 2. Definitions:

For the purpose of this Ordinance the following words and phrases are hereby defined:

(a) "Roller Skates and Street Skates, Roller Blades, In- Line Skates" mean small wheels near the toe and near the heel of a shoe, or frame that would attach to a shoe, which are intended for gliding on a hard surface such as a floor, sidewalk, etc.

(b) "Skateboard" means a board or similar item with small wheels mounted thereon which is intended for riding on a hard surface such as a floor, sidewalk, etc.

(c) "To roller skate" means to skate on any type of roller skates, street skates, roller blades. or in- line skates.

Section 3. Roller Skates, Street Skates, Skateboards, Roller Blades. or In-Line Skates.

No person shall roller skate or ride a skateboard within the City of Luna Pier without complying with the terms of this Ordinance.

Section 4. Prohibited Areas For Roller Skating, Roller Blading, and In-Line Skating.

Roller Skating, Roller Blading and In-Line Skating shall be prohibited within the City of Luna Pier on the following roadways and surfaces:

- (1) Harold Drive, except in the bike riding lane;
- (2) Ellen Street;
- (3) Lakewood Avenue;
- (4) Luna Pier Road;
- (5) All City Parking Lots, If any vehicles are parked there in;
- (6) Clyde R. Evans Municipal Pier; and

Section 5. Prohibited Areas For Skate Boarding.

Skate Boarding shall be prohibited within the City of Luna Pier on the following roadways and surfaces:

- (1) Harold Drive, including the bike riding lane;
- (2) Ellen Street;
- (3) Lakewood Avenue;
- (4) Luna Pier Road;
- (5) All City Parking Lots;
- (6) Clyde R. Evans Municipal Pier; and
- (7) Dike Sidewalk.
- (8) Any Sidewalk

Section 6. Skating or Riding on Sidewalks.

(1) Any person roller skating or roller blading upon a sidewalk or other paved surface intended for use by pedestrians shall yield the right of way to any pedestrian and shall not approach, overtake or pass such pedestrian in a reckless or careless manner.

(2) Any person roller skating or roller blading with one or more other individuals who is also roller skating upon a sidewalk or other paved surface intended for use by pedestrians shall not pass any pedestrians except in single line.

(3) Skate boarding is prohibited on any sidewalk or other paved surface intended for use by pedestrians except for the purpose of crossing a street upon which skate boarding is allowed.

Section 7. Crossing of Streets

No person shall roller skate or ride a skateboard on any roadway or surface prohibited within Sections 4 and 5, except for the purpose of crossing directly across said street. The rules relating to pedestrians crossing streets shall apply to persons crossing a street on roller skates or on a skateboard. No person crossing a street on roller skates or on a skateboard shall travel too fast for the existing conditions.

Section 8. Skating or Riding on Private Property Open to the Public Without Permission Prohibited.

No person shall roller skate or ride a skate board on private property open to the public without first obtaining and carrying on his or her person the written permission of the owner of said private property to allow such skating or riding. Failure of a person who has been roller skating or riding a skateboard on private property to produce such written permission, upon the request of any police officer, shall constitute prima facie evidence that said person is in violation of this ordinance.

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Section 9. Reckless or Dangerous Skating or Riding Prohibited

No Person shall roller skate or ride a skateboard on any sidewalk or other paved surface intended for pedestrians in a reckless or careless manner, or in a manner which is likely to result in injury or harm to any person or property.

Section 10. Riding on Certain Devices or Structures Prohibited.

Roller Skating or Skateboarding is prohibited on any public bench, table, planter wall, retaining wall, or other device or structure which is not intended for pedestrian or vehicular traffic, and it is unlawful to jump or step on or off such devices or structures in the process of skating. This includes anything such as ramps, lifts, or other home built structures.

Section 11. No Towing

No person shall be towed or pulled in any fashion by a motor vehicle within the City of Luna Pier while said person is using or riding on in-line skates, roller skates, skateboards or any similar contrivance. Said conduct shall constitute a violation for both the person who operates the motor vehicle with intent to tow another person on any skating device and the person who intentionally allows himself to be towed by a motor vehicle.

Section 12. Restricted Times

Roller Skating and Skate Boarding is absolutely prohibited within the City of Luna Pier between sunset and sunrise.

Section 13 . LIABILITY

ANY PERSON WHO ROLLER SKATES, ROLLER BLADES, IN- LINE SKATES, OR RIDES SKATEBOARDS IN THE CITY OF LUNA PIER ARE DOING AT THEIR OWN RISK. THE CITY OF LUNA PIER IS HELD HARMLESS

Section 14. Equipment

Any persons roller blading, skateboarding, in- line skating, or roller skating should wear protective equipment such as helmets, knee, elbow guards, or any other safety equipment.

Section 15 . Violations

Any person who violates any provision of this Ordinance is responsible for a municipal civil infraction and shall be subject to the payment of a civil fine of twenty-five dollars, for his or her first infraction. A second infraction within six months shall be subject to a civil fine of fifty dollars. A third or

subsequent infraction within six months shall be subject to a civil fine of one hundred dollars.

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Section 16 . Repeal of Ordinance in Conflict Herewith.

All ordinances and resolutions, or parts thereof, which conflict with the provisions of this Ordinance are hereby repealed. Except as herein amended, all other provisions not in conflict herewith shall remain in full force and effect.

EFFECTIVE DATE:

This Ordinance shall become effective ten (10) days after a summary has been published as provided by law.

I, Rose M. Laderach, Clerk, City of Luna Pier, do hereby certify, that the foregoing ordinance was duly adopted at the regular meeting of the Luna Pier City Council held on May 11, 2000.

Rose M. Laderach, Clerk
City of Luna Pier

ADOPTED: 5/11/00

PUBLISHED: 5/19/00

EFFECTIVE: 5/29/00