

Local Law 2 – 2008 – Village of Rushville, New York

**USE OF SKATEBOARDS, ROLLER SKATES, AND IN-LINE SKATES
ON PUBLIC WAYS IN THE VILLAGE OF RUSHVILLE
AND VILLAGE PARKING LOT**

§100-0 Purpose

- A. In order to promote the public safety and health, and to eliminate damage to municipal property the Village Board desires to regulate the operation of skateboards, roller skates, and in-line skates on Village property and public ways, sidewalks and parking lots in the Village Business District.

§100-1 Definition

- A. For the purposes of this local law, “Skateboard” will mean any wheeled vehicle intended and designed to be propelled by a foot on the vehicle at the time of initial propulsion for skating or gliding including, but not limited to common skate devices known as skate boards, in-line skates, or roller skates.

§100-2 Conduct Prohibited

- A. No person shall operate, use, ride on or attempt to operate, use or ride on a skateboard as defined herein on any public way, public area, public building, public sidewalk, public step, public parking area, public bridge, public park or public street within the Village of Rushville. For the purposes of this Local Law “public” shall mean: open to common use or for the benefit of all, including that which is the property of the Village of Rushville.
- B. No parent or legal guardian shall knowingly or negligently allow a minor to engage in conduct as defined in §100-2 A.

§100-3 Enforcement

The Yates County Sheriff’s Office and the New York State Police may enforce this local law. Any police or peace officer who observes a violation of this chapter by any individual may issue a warning or an appearance ticket to that individual for appearance in the local Justice Court. Any officer who receives a sworn complaint of a violation of this law from a citizen, after investigating concludes that a violation has occurred, may issue a warning or seek a criminal summons from the court, whichever is appropriate.

§100-4 Penalty

Any person including a parent adjudicated in violation of this chapter shall be guilty of an infraction and liable for a “warning” or a “fine” penalty of not less than Fifty Dollars (\$50.00) and not more than One Hundred Fifty Dollars (\$150.00).

1. For any first violation, the violator shall receive a written warning and a copy of this local law. If any violator is under the age of eighteen, his or her parents or legal guardians will be notified.
2. All second and subsequent violations will be summonsed to the Village of Rushville Justice Court. Any persons so summonsed may waive all court action by payment of the following amounts within ten (10) days of the issuance to the Village Court:
 - a. Second Violation \$50.00 fine
 - b. Third Violation \$100.00 fine
 - c. Fourth Violation and more \$150.00 fine

§100-5 Penalties Accrue to Village of Rushville

All fine penalties for infractions collected under this section shall accrue to the Village of Rushville.

§100-6 Severability

Should any portion whatsoever of this local law be held invalid or unenforceable for any reason, by any court or competent jurisdiction, such portion shall be deemed severable, but only to the extent of such holding, and such holding shall not affect the remaining portions thereof.

§100-7 Effective Date

This local law shall take effect upon its proper filing with the Office of the Secretary of State.

ADOPTED 03/10/2008

FILED NYS DOS 03/17/2008