

CHAPTER 3

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CHAPTER 3

BICYCLES AND SKATEBOARDS

Part 1

Bicycles

§101. Definitions. As used in this Part, the following terms shall have the meaning indicated, unless a different meaning clearly appears from the context:

(a) Bicycle - includes unicycles, pedal cycles, and any other vehicle powered solely or primarily by human powered pedals.

§102. Bicycle Riding or Parking on Sidewalks Prohibited. Unless otherwise designated by Borough Council, no person shall ride or park a bicycle upon any sidewalk in the Borough.

§103. Bicycles to be Equipped with Certain Devices.

(a) Sounding/Warning Devices. No person shall ride a bicycle on any street, alley or public place in the Borough unless there shall be attached thereto a bell, horn or other similar device capable of giving a warning signal audible for at least one hundred (100') feet, which shall be sounded when necessary to give warning to any pedestrian likely to be affected by the movement of such bicycle. However, no bicycle shall be equipped with, nor shall any person use upon a bicycle, any siren or whistle.

(b) Lighting. No person shall ride a bicycle on any street, alley or public place in the Borough at dusk, after dark or during evening hours without reflectors on the front and rear of the bicycle, and without a light or other device attached to the front of the bicycle bright enough or capable of eliminating at such a degree as to alert other vehicular and pedestrian travelers of the bicycles presence.

(c) Operational. No bicycle shall be operated unless it is in a safe mechanical condition and in good working order at all times.

§104. Manner of Riding Bicycles. No person shall ride a bicycle upon any of the streets, alleys or public places in the Borough without:

- (a) Wearing a helmet;
- (b) Having both hands on the handlebars; and
- (c) Having both feet on the pedals.

§105. Penalties. Any person, firm or corporation who shall violate any provision of this Part shall, upon conviction thereof, be sentenced to pay a fine of not more than Three

Hundred Dollars (\$300.00) and/or to imprisonment for a term not to exceed thirty (30) days.

Part 2
Skateboards

§201. Definitions.

(a) Skate Board - means a vehicle propelled by human power and gravity consisting of material or a portion of material formed into a thin firm sheet with wheels attached to the underside.

(b) Roller Blades or Roller Skates - means any type of shoe with small wheels attached near the toe and at the heel or, in the case of roller blades, a series of small wheels running the length of the shoe, propelled by human power and gravity and used for gliding across a surface, floor, sidewalk, roadway, etc.

§202. Prohibited Locations. It shall be unlawful for any person to engage in skateboarding or roller skating or rollerblading or to ride upon or propel any skate board, upon the following streets and sidewalks within the Borough:

- (a) Main Street;
- (b) Church Street;
- (c) Susquehanna Street;
- (d) Pine Street;
- (e) Berwick Street from Church Street to the boundary of White Haven Borough;
- (f) Wilkes-Barre Street;
- (g) Towanda Street;
- (h) Allegheny Street from Elmira Street to Towanda Street; and
- (i) Northumberland Street from Church Street to Main Street.

§203. Prohibited Times. It shall be unlawful for any person to engage in skate boarding or ride upon or propel any skate board or engage in roller skating or rollerblading upon any public thoroughfare, street, sidewalk and/or municipal lot in the Borough:

- (a) Between sunset and sunrise on any day;
- (b) At any other time when, due to insufficient light, or unfavorable atmospheric conditions, persons are not clearly discernible from a distance of one hundred (100) feet.

§204. Obedience of Persons Engaged in Skate Boarding, Roller Skating and/or Rollerblading to Traffic Control Devices and Regulations.

(a) A person engaged in skate boarding, roller skating and/or rollerblading shall obey the instructions of a police officer or other appropriately attired person authorized to direct, control and/or regulate traffic.

(b) A person engaged in skate boarding, roller skating and/or rollerblading shall obey traffic and pedestrian control signals as provided under the Pennsylvania Motor Vehicle Code, Section 3112 (relating to traffic control signals) and Section 3113 (relating to pedestrian control signals).

§205. Right of Way to Pedestrians. The person engaged in skateboarding, roller skating and/or rollerblading shall yield right-of-way to any pedestrian and may not overtake or pass a pedestrian while riding upon or propelling the skateboard, roller skates and/or rollerblades. In the case of a skateboard, the operator of such skateboard shall dismount from the skateboard and shall pass or overtake the pedestrian on foot, or wait until the pedestrian passes, prior to remounting the skateboard.

§206. Right of Way to Motor Vehicles. No person engaged in skateboarding, roller skating and/or rollerblading shall suddenly leave a curb, sidewalk, berm or street or any other place of safety and ride upon or propel any skateboard or steer themselves into or toward the path of a vehicle which is so close as to constitute a hazard. Persons utilizing a skateboard, roller skates and/or rollerblades upon a roadway shall ride as near to the right of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction.

§207. Ramps and Devices. No person shall place a ramp or similar structure used for skateboarding, roller skating and/or rollerblading in a public thoroughfare, street, upon a sidewalk or municipal parking lot within the Borough.

§208. Use of Protective Gear and Safety Equipment. Any person using a skateboard, roller skates and/or roller blades within the Borough shall at all times wear a helmet, knee padding, and elbow padding.

§209. Violations and Penalties. Any person, who shall violate any of the provisions of this Ordinance, shall upon conviction thereof:

(a) First Offense. The skateboard, roller skates and/or roller blades used in the violation of this Ordinance shall be impounded by the Police Department of White Haven Borough for a period not exceeding fifteen (15) days and said person shall, upon conviction, be sentenced to pay a fine of one hundred (\$100.00) dollars and costs. If the person violating the Ordinance is a minor, the Borough Police shall notify the parents, guardians or other person having legal custody of the minor of the violation of this Ordinance and the impounding of the skateboard, roller skates and/or roller blades. Upon

the expiration of the fifteen (15) day period, the skateboard, roller skates and/or roller blades shall be released upon request to the parent, guardian or other person having legal custody of the minor.

(b) Second or Subsequent Offense. The skateboard, roller skates and/or rollerblades of any person violating the provision of this Ordinance for the second and/or subsequent time shall be impounded by the Police Department of White Haven Borough for a period not exceeding thirty (30) days and said person shall, upon conviction, be sentenced to pay a fine of three hundred (\$300.00) dollars and costs. If the person violating the Ordinance is a minor, the Borough Police shall notify the parents, guardians or other person having legal custody of the minor of the violation of this Ordinance and the impounding of the skateboard, roller skates and/or roller blades. Upon the expiration of the thirty (30) day period, the skateboard, roller skates and/or roller blades shall be released upon request to the parent, guardian or other person having legal custody of the minor.