

Local Law Filing

(Use this form to file a local law with the Secretary of State.)

Text of law should be given as amended. Do not include matter being eliminated and do not use italics or underlining to indicate new matter.

County
City of CAPE VINCENT
Town
Village

Local Law No. 4 of the year 20 03

A local law RELATING TO SKATEBOARDS, ROLLERSKATES, IN-LINE SKATES,
(insert title)
SCOOTERS AND ANY RELATIVE MOTORIZED DEVICES.

Be it enacted by the VILLAGE BOARD
(Name of Legislative Body) of the

COUNTY
City of CAPE VINCENT as follows:
Town
Village

Article 1. - Statement of Authority. The Village of Cape Vincent, pursuant to the authority granted it pursuant Article 4 of the Village Law and Sections 10 and 20 of the Municipal Home Rule Law of the State of New York, hereby enacts as follows:

Article 2. - Statement of Purpose and Finding. The Board of Trustees of the Village of Cape Vincent has found that streets, sidewalks, and other public places within the Village are heavily traveled and that the use of those sidewalks and public places for skateboarding, rollerskating, in-line skates for sliding, coasting, and skating, scooters and by certain motorized devices present a dangerous condition for pedestrians, traffic, and residents of the Village. In order to insure the safety of Village residents and others using those streets, sidewalks, and public places, it is necessary to restrict the use of rollerskates, rollerblades, in-line skates, scooters, skateboards and certain motorized devices.

Article 3. - Enactment. The Board of Trustees of the Village of Cape Vincent hereby enacts as follows:

(If additional space is needed, attach pages the same size as this sheet, and number each.)

Section I. Definitions.

- 1) Skateboard. A narrow board of wood, plastic, fiberglass, or similar material with rollerskate or other type of wheels attached to each end and used for gliding or moving on any hard surfaces, without a mechanism or other device for steering while being used, operated, or ridden.
- 2) In-line Skates/Rollerblades. Shoes, skates, or footwear with a single row of roller wheels.
- 3) Rollerskates. Shoes, skates, or footwear with two or more rows of roller wheels.
- 4) Scooter. Any board of wood, plastic, fiberglass or similar material on which with a handle for steering used for gliding and moving on hard surfaces.
- 5) Motorized Device. Shall include mechanical devices capable of transporting human beings including, but not limited to any motorized scooter, moped or other similar device, but shall not include electronic wheelchairs.

Section II. It shall be unlawful to operate skateboards, in-line skates, rollerskates, scooter or motorized device in any manner upon any sidewalk or public place including parks, including the entire paved and improved surface thereof, in the Village, except in those areas which the Village of Cape Vincent may specifically designate from time to time, that skateboarding, in-line skates, rollerskates, scooters or motorized device may be used, and further excepting Village streets

Section III. Anyone operating a skateboard, in-line skates, roller skates, scooter or motorcycle device in the Village after sunset must wear reflective material that can be seen from all sides.

Section IV - Penalties.

- a) Any person violating any provision of this law shall be guilty of a violation as defined in the Penal Law of the State of New York and upon conviction thereof, shall be subject to a fine not less than \$25.00 and not to exceed \$50.00 for a first offense, for a second offense within a five year period, a fine not less than \$50.00 and not to exceed \$100.00, and for a third or any subsequent offense within a five year period, a fine not less than \$100.00 and not to exceed \$250.00.

- b) In the event that a person violating any provision of this law shall be under sixteen years of age, it shall be the responsibility of the parent, custodian, or person having legal guardianship of such person, to be certain that the child complies with the provisions of this law. If such child does not comply with the provisions of this law, then such parent, custodian, or legal guardian shall be responsible as if that person had violated this law and the fines set forth in part a) of this section shall apply to such parent, custodian, or legal guardian.

Article 4.- Severability. If any part of this Chapter shall be found to be void, voidable, or unenforceable for any reason whatsoever, it shall not affect the validity or enforceability of any remaining section or provision of this Chapter.

Article 5. - Effective Date. This local law shall take effect immediately upon filing with the Secretary of State.