Town of Harrison, Maine

Skateboarding Ordinance

Section 1. Title and Authority: This ordinance shall be known as the Harrison Skateboarding Ordinance. This ordinance is enacted pursuant to the Home Rule powers granted by the Maine Constitution, and 30-A M.R.S.A. § 3001 et seq.

Section 2. Purpose: Skateboarding is a dangerous activity when conducted on public ways and places. The purpose of this ordinance is to protect the public health and welfare by prohibiting skateboarding activities in public areas within the municipality; but allowing skateboarding in designates areas.

Section 3. Definitions:

(a) **Skateboard** – a single platform which is mounted on wheels, having no mechanism or other device with which to power, steer or control the direction of movement thereof while being used, operated or ridden.

(b) **Public Area** – for purposes of this ordinance, includes all roads, streets, avenues, lanes, alleys, municipally-owned parking lots, public easements, paths and sidewalks. “Public area” also included privately owned parking lots which are open to the public (whether free or for-charge) for parking. This term does not include privately-owned roads, driveways and areas not open to the general public.

(c) **Designated Skateboarding Facility** – means any public area which is designated and operated for skateboarding, and has been approved and designated as such by the Recreation Director/Recreation Committee/Board of Selectmen present and future areas.

(d) **In Line Skates (Roller Blades)** – will be allowed on designated skateboarding facilities and must follow all rules and regulations that govern skateboarding. They must also follow rules and regulations of the State of Maine that govern their use on the road ways.

Section 4. Use in Public Areas Prohibited: No person shall operate or cause to be operated a skateboard on any public area in the municipality, except as follows:

(a) it is not a violation of this ordinance to operate a skateboard in a designated skateboarding facility/area.

(b) it is not a violation of this ordinance to operate a skateboard in a privately-owned parking lot open to the public if the owner of said lot has given express written permission for that activity.

Section 5. Enforcement – This ordinance may be enforced by any constable duly authorized by the municipality or any law enforcement officer.

Section 6. Penalties: Upon conviction of a violation of this ordinance, the penalties shall be as follows:

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<tr>
<th>Offense</th>
<th>Penalty</th>
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<tr>
<td>First offense:</td>
<td>Written Warning</td>
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<tr>
<td>Second offense:</td>
<td>Surrender of skateboard for three (3) days. Must be picked up by parent/guardian at Harrison Town Office.</td>
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<tr>
<td>Third offense:</td>
<td>$10 fine and surrender of skateboard for ten (10) days. Fine payable offender and must be accompanied by parent/guardian at Harrison Town Office.</td>
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Fourth offense: $25 fine and surrender of skateboard for thirty (30) days. Fine payable when skateboard is picked up by offender and must be accompanied by parent/guardian at Harrison Town Office.

Fifth offense: $50 fine and surrender of skateboard for sixty (60) days. Fine payable when skateboard is picked up by offender and must be accompanied by parent/guardian at Harrison Town Office.

Sixth or more offenses: $100 fine and surrender of skateboard for ninety (90) days. Fine payable when skateboard is picked up by offender and must be accompanied by parent/guardian at Harrison Town Office.

All fines collected under this ordinance shall accrue to the municipality and be applied to the Parks and Recreation Department for the maintenance and operation of designated skateboarding facilities.

Section 7. **Severability:** In the event that a Court of competent jurisdiction determines that any portion of this ordinance is invalid, the remaining provisions shall continue in full force and effect.

Section 8. **Effective Date:** This ordinance shall become effective when adopted by the legislative body of municipality.

ADOPTED AT THE JUNE 19 & 20, 1992 ANNUAL TOWN MEETING – ARTICLE #10