

ORDINANCE NO. 2015-3

ORDINANCE PROHIBITING USE OF TOYS UPON PUBLIC STREET

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF FORT BRANCH, INDIANA, AS FOLLOWS.

Section 1. It shall be unlawful for any person, who is riding in or by means of a skateboard, coaster, scooter, toy vehicle or any similar play device, to park, stand or use any such vehicle or device upon any roadway, except while he is crossing a street on a crosswalk, and when so crossing, such person shall be granted all of the rights and shall be subject to all of the duties applicable to pedestrians.

Section 2. It shall be unlawful for any person to erect any device, in any roadway, that would create a hazard to the participants or any motorist using the roadway for any purpose other than the operation of vehicles regulated by Indiana Codes or Town Ordinance. This includes but is not limited to hockey nets, soccer nets, basketball goals, or any other device that will promote the use of the roadway as a playground.

Section 3. It shall be unlawful for any person to engage in the activity of playing with baseballs, footballs, flying discs, or any other sport or toy in the roadway that will promote the use of the roadway as a playground.

Section 4. It is hereby declared a public nuisance and, therefore, a violation of this Ordinance to operate a skateboard, coaster, scooter, toy vehicle or any similar play device on the streets.

Section 5. A skateboard operated in violation of this section may be temporarily held to abate the nuisance. The first violation of this Ordinance in any calendar year shall be subject to a penalty of \$50.00. All second and subsequent violations of this ordinance within the calendar year will be subject to a penalty of \$100 per violation.

Section 6. An exception to Section 2 exists for special events, parades, and similar activities where a right-of-way use or other applicable permit is in effect for the activity.

Section 7. This ordinance does not apply to any vehicle that is currently regulated by Indiana Code or Town Ordinance.

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Section 8: This ordinance shall be in full force and effect from and after the date of publication as required by law.

PASSED AND ADOPTED by the Council of the Town of Fort Branch Indiana, this 8th day of April, 2015.

COUNCIL OF THE TOWN OF
FORT BRANCH, INDIANA

TOM WALLACE, President

HAROLD WOLF, Member

ADAM BLEDSOE, Member

ATTEST:

STACY ELPERS, Clerk-Treasurer