

ORDINANCE 198
ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR BIRD ISLAND SKATE PARK
AND PROVIDING PENALTIES FOR VIOLATIONS

The City of Bird Island does ordain:

Section 1. Purpose.

Because the Skate Park is being used in violation of posted notices, the City Council deems it necessary to adopt this Ordinance to preserve the public peace, health & safety of its citizens, and to levy fines and other penalties for violation of adopted rules and regulations.

Section 2. Rules and Regulations.

- A. Hours: 7:00 AM to 10:00 PM. Lights off at 10:15 PM.
- B. Helmets, knee pads, elbow pads and wrist guards are strongly recommended.
- C. No bicycles allowed.
- D. No smoking, alcohol or drugs.
- E. No food, drink or glass containers.
- F. No littering. Please use trash cans.
- G. No profanity, loud music or disruptive behavior.
- H. No graffiti. Be respectful of others and park property.
- I. No pets allowed.
- J. No equipment may be brought into the facility.
- K. Do not proceed down a ramp until clear of other skaters.
- L. Spectators are welcome, but must stay clear of ramps and apparatus.
- M. Skating privileges will be revoked if these rules are not followed.

Section 3. Prohibition.

It shall be unlawful for any person to operate a skateboard, scooter, bicycle, roller blades or roller skates under the circumstances set forth below:

- A. On private property of another without the express permission to do so by the owner or occupant of the property.
- B. Upon the public sidewalks adjacent to Highway 212 and Main Street between Maple and Birch Avenues.

Section 4. Penalty for violation.

Any person violating the provision of this Ordinance may be subject to one or more of the following penalties:

- A. Fines for each violation up to the maximum allowed by law for a petty misdemeanor. The fine for a first offense shall be \$100, \$200 for a second violation, and any subsequent offense will be the maximum fine of \$300. These amounts may be changed by simple resolution of the City Council.
- B. The Police Department, City elected officials and employees, or designated City Representatives may seize a violator's bicycle, scooter, skateboard, roller blades or roller skates. Following a first violation, a parent/guardian will be required to retrieve seized equipment at the police station. After a second offense, equipment will be returned upon payment of a \$50 fine. Equipment will be forfeited to the police department following any subsequent violations and will be sold with proceeds going to the Community Improvement Foundation.
- C. Repeat or severe offenders may be permanently banned from the skate park.

Section 5. Parent and Guardian Responsibility.

The parent or legal guardian having control or custody of an un-emancipated minor whose conduct violates this Ordinance shall be jointly and severally liable with the minor for the amount of any restitution imposed.

Section 6. Repeal.

Any Ordinance or section of any Ordinance inconsistent with this Ordinance is hereby repealed.

Section 7. Effective Date.

This Ordinance becomes effective upon its passage and publication according to law.

Passed by the City Council of Bird Island this 11th day of July, 2005.

Mayor Paul Heyl

Administrator Deb Lingl