

**TITLE 20**

**MISCELLANEOUS**

**CHAPTER**

**1. SKATEBOARDS, ROLLER SKATES AND SIMILAR DEVICES.**

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**SKATEBOARDS, ROLLER SKATES AND SIMILAR DEVICES**

**SECTION**

20-101. Definitions.

20-102. Rules and regulations.

20-103. Exemptions from the provisions.

20-104. Penalties.

**20-101. Definitions.** For the purposes of this chapter, the following words shall have the meanings ascribed:

(1) "Private property" shall mean any property held by private interests which is used primarily for business, commercial, office space, business park, religious, multi-family or recreational purposes. This shall also include parking facilities for these "private property" areas.

(2) "Public property" shall mean any property owned or maintained by the City of Pikeville and any public utility within the geographical boundaries of the City of Pikeville.

(3) "Roller skates" or "roller blades" means a pair of shoes, mounted upon two (2) seats of wheels and is most often propelled by the user in an upright, standing position or kneeling.

(4) "Skateboard" means a footboard mounted upon four (4) or more wheels and is usually propelled by the user who sometimes stands, sits, kneels, or lays upon the device while it is in motion. (as added by Ord. #5B-12-008, Sept. 2008)

**20-102. Rules and regulations.** (1) It is unlawful for any person to operate a skateboard, roller skates, roller blades or any similar device upon any of the following areas:

(a) All streets or alleys located in the city;

(b) On the premises of any business;

(c) In, upon or on the grounds of any city-owned parking structure;

(d) On or against any city-owned table, bench, structure, tennis court, swimming pool or other improvement which may suffer damage by such use;

(e) In any area of the city park or playground, or a park or playground maintained by the city, or any property owned by the city that is not specifically designated and intended for such use;

(f) Upon any streets or sidewalks or other area of any property within the city without written permission from the owner or occupant or such property. Such written permission shall be in the possession of any person using a skateboard, roller skates, roller blades or any similar device on property for which permissions has been obtained;

(g) On all private property in the city; provided, however, that the use of a skateboard, roller skates, roller blades or any similar device is permitted on such property with the permission and consent of the owner, tenant or other person lawfully in possession of said property;

(h) On all public property owned or controlled by the city and on all public property owned or controlled by other governmental entities, except as may be specifically. authorized by the appropriate governmental entity.

(2) It is unlawful for any person to operate a skateboard, roller skates, roller blades or any similar device upon any street of the city.

(3) It shall be unlawful and subject to punishment for any person utilizing or riding upon a skateboard, roller skates, rollerblades or any similar device to ride or move about in or on any public or private property when the same property has been designated by resolution of the city council.

(4) No person shall use a skateboard, roller blades, or roller skates or similar device outside of a designated "no skateboarding, roller skating, or similar activity area" in a manner which creates a nuisance. For the purpose of this chapter "nuisance" is defined as any activity which:

(a) Threatens injury to persons or property;

(b) Creates an obstruction or presents a hazard to the free and unrestricted use of public or private property by pedestrians or motorists;  
or

(c) Generates loud or unreasonable noise. (as added by Ord. #5B-12-008, Sept. 2008)

**20-103. Exemptions.** Any device designated, intended, and used solely for the transportation of infants, the handicapped, or incapacitated persons, devices designated, intended, and used for the transportation of merchandise to and from the place of purchase and other wheeled devices, when being used for either of these purposes shall be exempt from this chapter. Furthermore the board of mayor and aldermen may, by resolution, suspend the enforcement provisions of this chapter to accommodate special events when so requested by the event organizer. (as added by Ord. #5B-12-008, Sept. 2008)

**20-104. Penalties.** Any person who violates any of the provisions of this chapter shall be issued a ticket as being in violation of said chapter.

(1) A person who violates any of the provisions of this chapter shall be ticketed as follows:

- (a) Five dollars (\$5.00) for the first offense;
- (b) Ten dollars (\$10.00) for the second offense;
- (c) Seventy-five dollars (\$75.00) for each subsequent offense.

(2) All tickets shall be paid within fourteen (14) days of the date of said ticket.

(3) In the event said person fails to make payment as provided above, then the police department shall institute formal court proceedings; and the person shall be subject to an additional penalty of fifty dollars (\$50.00) plus any court costs that may be assessed.

(4) The members of the police department are directed to refrain from instituting prosecution of such violation where the above amounts are paid and, where not so paid, until the expiration of fourteen (14) days from the date of such violation. (as added by Ord. #5B-12-008, Sept. 2008)