

**THE BOROUGH OF RIVERTON
BURLINGTON COUNTY**

ORDINANCE NO. 2007 - 6

**ORDINANCE TO REGULATE SKATEBOARDS AND
SKATEBOARD RAMPS THROUGHOUT THE
BOROUGH OF RIVERTON**

WHEREAS, the Mayor and Council of the Borough of Riverton have received a number of complaints concerning the use and operation of skateboards and skateboard ramps throughout the Borough of Riverton; and

AND WHEREAS, the Chief of Police of the Borough of Riverton supports the adoption of an ordinance which regulates activity of those persons utilizing skateboards and skateboard ramps;

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED BY THE MAYOR AND THE COUNCIL OF THE BOROUGH OF RIVERTON, COUNTY OF BURLINGTON, STATE OF NEW JERSEY THAT A SKATEBOARDING ORDINANCE BE ADOPTED AS FOLLOWS:

CHAPTER 166: SKATEBOARDS AND SKATEBOARD RAMPS

§ 1. Short Title

The short title of this chapter shall be the "Skateboarding Ordinance" and this chapter shall be hereinafter cited and referred to for the purpose of amendment or otherwise by said title.

§ 2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated.

COMMERCIAL ESTABLISHMENT(S) - means privately improved real estate, lot, and co-joined lots, open to the general public, where commodities and services are exchanged, bought or sold, including, but limited to a store, shopping center, mall, office building, or professional complex, together with the remainder of the same lot(s) designated for related vehicle or pedestrian use.

SKATEBOARD - includes a single platform mounted on wheels designed or in fact used for riding underfoot, or a board with roller skate wheels or other similar wheels attached to the underside, without a mechanism or other device for steering while being used, operated or ridden. **"To skateboard"** refers to the riding of a Skateboard.

SKATEBOARDING - means the use or riding of a Skateboard.

SKATEBOARD RAMPS - Includes all ramps commonly referred to as such, platforms manufactured or contrived surfaces of any and every pattern or configuration and other similar devices and things designed for use for riding a skateboard upon or above any area.

§ 3. Unlawful Activities.

- A. No person shall use or operate or ride on a skateboard upon or in any of the places stated in **§ 4A** hereof.
- B. No person shall use or operate or ride on a skateboard:
 - (1) In a careless manner without due caution and circumspection;
 - (2) While endangering, or in any manner to create a risk or danger to, any person or property; or
 - (3) In any manner to impede or interfere with pedestrian or vehicular traffic.
- C. No person shall place, locate or leave a skateboard ramp in any public roadway (including the entire paved and improved surface thereof, including gutter areas, from curb to curb, where curbs exist) or on any public sidewalk.
- D. Except as a means of transportation to and from a commercial establishment, no person shall operate a skateboard, or otherwise engage in activities collectively known as "skateboarding" on a commercial establishment(s) or surrounding area, designated for vehicle or pedestrian traffic.
 - (1) Post of sign. The prohibition of this **§3D** above shall be unenforceable unless a sign, which clearly indicates said prohibition and the penalty for violation of this chapter has been prominently posted by the owner of the commercial

establishment(s).

§4. Restricted Areas.

A. The places referred to in §3A are:

- (1) All public and private sidewalks;
- (2) The grounds of Riverton Memorial Park, except for the designated 60' x 115' paved fenced area (adjacent to Cedar Street);
- (3) The grounds of Riverton Public School;
- (4) All municipal parking lots;
- (5) The Riverton Plaza, including the gazebo; and,
- (6) The War Memorial Monument.

§5. Violations and penalties.

A. A police officer of the Borough who shall observe any person using, operating or riding upon a skateboard in violation of this chapter shall:

- (1) Upon the first violation, take possession of the skateboard for a period not exceeding 48 hours, after which the skateboard shall be returned to the parent or guardian of a minor violator or, in the case of an adult violator, to the violator himself.
- (2) Upon the second violation, take possession of the skateboard for a period not exceeding 72 hours and issue a summons and complaint to the violator if an adult, providing for a fine of \$50, payable to the Riverton Municipal Court; or if a minor, to be referred to the Juvenile Court in accordance with Subsection B of this section. After said 72 hour period, the skateboard shall be returned to the parent or guardian of a minor violator or, in the case of an adult, to the violator himself.
- (3) Upon a third violation and upon each subsequent violation, issue a summons and complaint to the violator, returnable before the Riverton Municipal Court, or to the Juvenile Court, if

appropriate, which shall treat and dispose of such complaint in accordance with Subsection B of this section.

B. Any person violating any provision of this chapter shall, upon conviction be subject to:

- (1) A fine, the amount of which shall be within the discretion of and shall be fixed by the Municipal Court of Riverton, or other court or judicial officer having appropriate jurisdiction, but which shall in no case be greater in amount than that permitted by N.J.S.A. 40:49-5, as amended and supplemented, and other applicable law;
- (2) A period of community service, with the meaning and limits of and as referred to in N.J.S.A. 40:49-5, as amended and supplemented, and other applicable law;
- (3) Both a fine and a period of community service.

This ordinance shall take effect upon immediate adoption.

ATTEST:

BOROUGH OF RIVERTON

By: _____
Mary Longbottom,
Borough Clerk

By:
Robert Martin,
Mayor

CERTIFICATE OF CLERK

I, Mary Longbottom, Municipal Clerk of the Borough of Riverton, County of Burlington and State of New Jersey, do hereby **CERTIFY** that the foregoing to be a true and correct copy of an Ordinance introduced and passed by the Borough Council at a meeting of said Council held November 7, 2007, and said Ordinance was finally adopted at a regular meeting of the Borough Council held December 5, 2007, after a public hearing.

Mary Longbottom, RMC
Municipal Clerk

RECORDED VOTE

AYE
ABSENT

NAY

ABSTAIN

DANIEL
BROWN
DR. SMYTH
MR. SMYTH
KINZLER
CESARETTI
MAYOR (TIE)