

Chapter 245

SKATEBOARDS, ROLLER SKATES AND BICYCLES

**ARTICLE I
Skateboards**

- § 245-1. Definitions.
- § 245-2. Status and rights.
- § 245-3. Prohibited acts.
- § 245-4. Violations and penalties.
- § 245-5. Charging violation, prosecution.

**ARTICLE II
Roller Skates**

- § 245-6. Definitions.
- § 245-7. Status and rights.

- § 245-8. Prohibited acts.
- § 245-9. Violations and penalties.
- § 245-10. Charging violation, prosecution.

**ARTICLE III
Bicycles**

- § 245-11. Definitions.
- § 245-12. Status and rights.
- § 245-13. Prohibited acts.
- § 245-14. Violations and penalties.
- § 245-15. Charging violation, prosecution.

[HISTORY: Adopted by the Board of Trustees of the Village of Port Byron as indicated in article histories. Amendments noted where applicable.]

**ARTICLE I
Skateboards**

[Adopted 7-13-1998 by Ord. No. 98-13-7A (Title 4, Ch. 2, Art. 9, of the 1993 Code)]

§ 245-1. Definitions.

For the purpose of this article, the following terms shall have the meanings ascribed to them in this section:

SKATEBOARD — A single platform mounted on wheels which may be propelled solely by human power, or by means of a mounted or attached electric motor or gasoline powered engine.

SKATEBOARDING — The use of a skateboard by any person as a means of transporting or propelling said person from one point to another.

§ 245-2. Status and rights.

- A. Skateboard operations, skateboard operators shall have all the rights and shall be subject to all of the duties applicable to non-skateboard pedestrians as set forth in the Illinois Vehicle Code, paragraphs 625 ILCS 5/11-1001 to 5/11-1011, as amended from time to time.

- B. Right-of-way, the operator of a skateboard has the status of a pedestrian, but shall yield the right-of-way to all vehicular and to all other pedestrian (non-skateboard) traffic.

§ 245-3. Prohibited acts.

- A. Skateboarding is prohibited on any sidewalk located within this Village.
- B. Skateboarding is prohibited on any street located within this Village.
- C. Skateboarding is prohibited on any bike path or in any Village owned or maintained park within this Village.
- D. Skateboarding, shall be prohibited in or upon private property and in or upon public or private parking lots within this Village unless the skateboard operator shall have first secured the property owners' or property owners' agents' written permission to do so.
- E. Operator Only, no more than one person shall operate or ride on a skateboard at one time.

§ 245-4. Violations and penalties.

Any person who violates any provision of this Ordinance is guilty of a petty offense and for the first offense shall be fined \$50, \$100 for the second offense in a twelve-month period, and \$500 for the third or subsequent offense in a twelve-month period.

§ 245-5. Charging violation, prosecution.

- A. By Notice of Violation. A Police Officer, upon establishing probable cause, may elect to charge a person with a violation of any provision of this ordinance by delivering to that person a notice of violation charging that person with the violation.
- B. The person so such charged has five working days to satisfy the violation by making payment of the appropriate fine established by this ordinance to the Port Byron Village Clerk. If the fine is not paid to the Village Clerk within five business days after receipt of the NOTICE OF VIOLATION the Police Department may:
 - (1) Forward copies of the NOTICE OF VIOLATION and all reports to the Village Attorney who shall then file a local ordinance complaint with the Rock Island County Circuit Court charging that person with the violation and establishing a court date for trial.

ARTICLE II

Roller Skates

[Adopted 8-10-1998 by Ord. No. 98-10-8A (Title 4, Ch. 2, Art. 10, of the 1993 Code)]

§ 245-6. Definitions.

For the purpose of this article, the following terms shall have the meanings ascribed to them in this section:

ROLLER SKATES — Any shoe or boot type device on which wheels have been mounted or attached and which may be propelled solely by human power, or by means of a mounted or attached electric motor or gasoline powered engine, and shall include rollerblades, in-line type skates, and/or roller skates.

ROLLER SKATING — The use of roller skates by any person as a means of transporting or propelling said person from one point to another.

§ 245-7. Status and rights.

- A. Roller skate operations, roller skate operators shall have all the rights and shall be subject to all of the duties applicable to non-roller skating pedestrians as set forth in the Illinois Vehicle Code, paragraphs 625 ILCS 5/11-1001 to 5/11-1011, as amended from time to time.
- B. Right-of-way, the operator of roller skates has the status of a pedestrian, but shall yield the right-of-way to all vehicular and to all other pedestrian (non-roller skating) traffic.

§ 245-8. Prohibited acts.

- A. Roller skating is prohibited on the sidewalk area within the downtown business district of this Village, which is defined as Main Street between Lynn Street and Walnut Street.
- B. Roller skating is prohibited on the street area within the downtown business district of this Village, which is defined as Main Street between Lynn Street and Walnut Street.
- C. Roller skating is prohibited on Illinois Route 84 or its right-of-way except, after first stopping to assess traffic conditions, the roller skate operator may then cross the highway at a 90° angle to get to the opposite side of the street.
- D. Roller skating is prohibited in any Village owned or maintained park within this Village, exclusive of the Great River Trail Bike Path.
- E. Roller skating shall be prohibited in or upon private property and in or upon public or private parking lots within this Village unless the roller skate operator is there as a customer conducting legitimate business or shall have first secured the property owners' or property owners' agents' written permission to do so.
- F. Operator Only, no more than one person shall operate or ride on a roller skate at one time.

§ 245-9. Violations and penalties.

Any person who violates any provision of this Ordinance is guilty of a petty offense and for the first offense shall be fined \$50, \$100 for the second offense in a twelve-month period, and \$500 for the third or subsequent offense in a twelve-month period.

§ 245-10. Charging violation, prosecution.

- A. By Notice of Violation. A Police Officer, upon establishing probable cause, may elect to charge a person with a violation of any provision of this ordinance by delivering to that person a NOTICE OF VIOLATION charging that person with the violation.
- B. The person so such charged has five working days to satisfy the violation by making payment of the appropriate fine established by this ordinance to the Port Byron Village Clerk. If the fine is not paid to the Village Clerk within five business days after receipt of the NOTICE OF VIOLATION the Police Department may:
- (1) Forward copies of the NOTICE OF VIOLATION and all reports to the Village Attorney who shall then file a local ordinance complaint with the Rock Island County Circuit Court charging that person with the violation and establishing a court date for trial.

ARTICLE III

Bicycles

[Adopted 8-10-1998 by Ord. No. 98-10-8B (Title 4, Ch. 2, Art. 12, of the 1993 Code)]

§ 245-11. Definitions.

For the purpose of this article, the following terms shall have the meanings ascribed to them in this section:

BICYCLE — Every device propelled by human power which any person may ride, having tandem wheels except scooters and similar devices.

BICYCLING — The use of a bicycle by a person as a means of transporting or propelling said person from one point to another.

KNOWINGLY — Having general knowledge of, or reason to know, or a belief or ground for belief which warrants further inquiry or inspection.

LEGAL GUARDIAN — A person appointed guardian, or given custody, of a minor by a Circuit Court of this State.

MINOR — A person under the age of 18 years.

PARENT — A natural or adoptive parent or a court designated guardian.

§ 245-12. Status and rights.

Bicycle Operations, bicycle operators shall have all the rights and shall be subject to all of the duties applicable to bicycle operators as set forth in the Illinois Vehicle Code, paragraphs 625 ILCS 5/11-1502 to 5/11-1515 inclusive, as amended from time to time.

§ 245-13. Prohibited acts.

- A. Illinois Vehicle Code, it shall be a violation of this ordinance for a bicycle operator to violate any provision established in the Illinois Vehicle Code governing the operator and/or operation of a bicycle, to include paragraphs 625 ILCS 5/11-1502 to 5/11-1515 inclusive.
- B. Bicycling is prohibited on the sidewalk area within the downtown business district of this Village, which is defined as Main Street between Lynn Street and Walnut Street.
- C. Bicycling shall be prohibited in or upon private property and in or upon public or private parking lots within this Village unless the Bicycle operator is there as a customer conducting legitimate business or shall have first secured the property owners' or property owners' agents' written permission to do so.
- D. Bicycling shall be limited to streets, sidewalks, and the Great River Trail Bike Path while within the Village. Bicycling in buildings, gazebos, and/or on fixed or mobile items such as vehicles, park equipment, furniture, tables, benches, markers, grass, etc is a violation of this ordinance unless the Bicycle operator shall have first secured the property owners' or property owners' agents' written permission to do so, or is on his or her own property or on the property of his or her parent or legal guardian.
- E. Parental responsibility, it shall be a violation of this ordinance for a parent or legal guardian to knowingly allow a minor to operate a bicycle on public, or private property not owned by the parent or legal guardian in such manner as to violate any provision of an ordinance of this Village or any State Statute.

§ 245-14. Violations and penalties.

Any person who violates any provision of this Ordinance is guilty of a petty offense and for the first offense shall be fined \$50, \$100 for the second offense in a twelve-month period, and \$500 for the third or subsequent offense in a twelve-month period.

§ 245-15. Charging violation, prosecution.

- A. By Notice of violation. A Police Officer, upon establishing probable cause, may elect to charge a person with a violation of any provision of this ordinance by delivering to that person a NOTICE OF VIOLATION charging that person with the violation.
- B. The person so such charged has five working days to satisfy the violation by making payment of the appropriate fine established by this ordinance to the Port Byron Village Clerk. If the fine is not paid to the Village Clerk within five business days after receipt of the NOTICE OF VIOLATION the Police Department may:

- (1) Forward copies of the NOTICE OF VIOLATION and all reports to the Village Attorney who shall then file a local ordinance complaint with the Rock Island County Circuit Court charging that person with the violation and establishing a court date for trial; or
- (2) Forward copies of the NOTICE OF VIOLATION and all reports to the Rock Island County States Attorney's Office and request a complaint be filed charging that person with a violation of the Illinois Vehicle Code under State statute.