

PERSONNEL COMMITTEE

09-035-0

REPLACEMENT 2
AS AMENDED

ORDINANCE NO. 9978

AN ORDINANCE AMENDING SECTIONS 33-5, 45-6.1 AND 45-6.2
OF THE DULUTH CITY CODE, 1959, AS AMENDED, REGARDING THE
USE OF INLINE SKATES, ROLLERSKATES AND SKATEBOARDS.

BY COUNCILOR GARDNER:

The city of Duluth does ordain:

Section 1. That Section 33-5 of the Duluth City Code, 1959, as amended,
is hereby amended to read as follows:

Sec. 33-5. Same--Bicycles, inline skates, rollerskates, skateboards
and animals.

Every person riding a bicycle, inline skates, rollerskates,
skateboard or an animal or driving any animal drawing a vehicle upon
a roadway shall be subject to the provisions of this Chapter
applicable to the driver of a vehicle, except those provisions which
by their nature can have no application.

Section 2. That Section 45-6.1 of the Duluth City Code, 1959, as amended,
is hereby amended to read as follows:

Sec. 45-6.1. Tricycles, coaster wagons ~~Recreational devices on~~
~~roadways~~ prohibited on roadways.

No person shall use any ~~skateboard, rollerskate, tricycle, or~~
~~coaster wagon or any similar recreational device~~ upon any public
roadway street unless such public street does not provide a sidewalk
for pedestrian use. No parent or guardian of any child under the
age of eight years old shall allow or permit such child to use any
tricycle or coaster wagon upon any public street in the city which
does not provide a sidewalk for pedestrian use unless supervised by
such parent or guardian. ~~but~~ This Section shall not pertain to the
use of any two or three wheeled bicycle if all of its wheels are at
least ~~14~~ nine inches in diameter.

Section 3. That Section 45-6.2 of the Duluth City Code, 1959, as amended, is hereby amended to read as follows:

Sec. 45-6.2. ~~Skateboards and rollerskates prohibited on sidewalks in business districts, the civic center and public library grounds~~ Inline skates, rollerskates and skateboards--general use.

(a) No person shall ride or propel inline skates, roller-skates or a skateboard upon any public sculpture, statue, monument, fountain, or on any planter, flower or tree box, flower bed or garden, upon any area designed and used for public seating, benches, railings, walls of any public building or structure or any other equipment or structure located in any public park or upon any public property;

(b) No person shall ride or propel inline skates, rollerskates or ~~ride~~ a skateboard at any time anywhere on the grounds of the main branch of the Duluth public library or the Duluth civic center; ~~including but not limited to all roadways, walkways, stairways, statues, walls, railings, lawns or any other structures or ways therein.~~

~~(a)~~ (c) No person shall ride or propel inline skates, rollerskates, or ~~ride~~ a skateboard upon any sidewalk in a business district ~~on Monday through Saturday~~ between the hours of 7:30 a.m. and ~~6:30~~ 9:00 p.m. or at any times in posted areas which have been designated by city council resolution. For the purposes of this Section, the term business district shall have the meaning given it in Section 33-1 of this Code ~~and the term rollerskates shall include all kinds of rollerskates including those commonly known as roller blades and roller skis;~~

(d) No person shall ride or propel inline skates, roller-

skates or a skateboard upon a public street, sidewalk, or other area available for pedestrian use by the public as a matter of right, in such manner as endangers or is likely to endanger other persons or cause damage to property.

Behavior deemed to endanger shall include, but is not limited to:

(1) Riders failing to yield to motor vehicles while riding upon or when crossing a public street or highway;

(2) Riders failure to operate at a speed which is reasonable and prudent for conditions of motor vehicle and/or pedestrian traffic;

(3) Riders failing to yield the right-of-way to any pedestrian upon any public way;

(4) Riders performing jumps, tricks or traveling in an unreasonable manner that results in any injury or damage to any person, animal or property of another;

(e) No parent or guardian of any child under the age of eight years old shall allow or permit such child to ride or propel inline skates, rollerskates or a skateboard upon any public street or alley in the city unless supervised by such parent or guardian.

Section 4. That this ordinance shall take effect 30 days after its passage and publication.

Approved as to form:

Attorney

CCREQ/ATTY CWS:cjk 6/11/2009

STATEMENT OF PURPOSE: The growing use of inline skates, rollerskates and skateboards on public property and in areas with heavy pedestrian traffic within the city has raised numerous concerns for the safety of both riders and pedestrians. This ordinance further regulates the use of these devices within the city and authorizes the city council to establish areas within the city where the use of inline skates, rollerskates or skateboards may be prohibited.