

ORDINANCE NO. 1097

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, RELATING TO SKATEBOARDS, SCOOTERS, ROLLER SKATES/IN-LINE SKATES, AMENDING THE PROHIBITION ON TRAVEL BY MEANS OF SKATEBOARDS, SCOOTERS, ROLLER SKATES/IN-LINE SKATES ON "ARTIERIAL STREETS" TO "STRIPED STREETS" IN THE CITY, REGULATING THE USE OF SUCH DEVICES WHEN CROSSING STREETS AT ANY LOCATION, INCLUDING CROSSWALKS, CHANGING THE PELALTIES TO A MAXIMUM OF FIFTY DOLLARS OR, IN THE COURT'S DISCRETION, COMMUNITY SERVICE, AMENDING GIG HARBOR MUNICIPAL CODE SECTION 8.30.010 AND 8.30.060.

WHEREAS, since Gig Harbor Municipal Code Section 8.30.010 was adopted, the City has adopted street classification standards, which creates a separate classification for "arterials" among many different types of streets; and

WHEREAS, GHMC Section 8.30.010 prohibits travel by roller skates/in-line skates, coasters, skateboards, scooters or similar devices "upon the roadway of any arterial street" and

WHEREAS, the City Council intended the prohibition to extend to all City "striped streets", not just arterial streets; and

WHEREAS, the penalty for violation of chapter 8.30 on the subject of travel by means of skateboards, scooters, roller skates/in-line skates has three levels, but the lowest penalty of \$100.00 is to high; and

WHEREAS, the City Council considered this ordinance during its regular meeting of July 23, 2007; Now, Therefore,

THE CITY COUNCIL OF THE CITY OF GIG HARBOR, WASHINGTON, ORDAINS AS FOLLOWS:

Section 1. Section 8.30.010 of the Gig Harbor Municipal Code shall read as follows:

8.30.010. Skateboards, Scooters and Roller Skates/In-Line Skates Prohibited on in-certain "Striped Streets" within the City Streets.

No person upon roller skates/in-line skates, or riding in or by means of any coaster, skateboard, scooter or similar device, shall move, go or travel upon the roadway of any ~~arterial~~ "striped street" or transit bus route with in

the City of Gig Harbor, ~~except while crossing such street at a crosswalk~~; or engage in any sport, amusement or exercise or play in the roadway of any such street. "Striped street" is defined as any street which has been painted with (a) yellow median line(s) by the City. This prohibits any riding or travel with coasters, skateboards, scooters or similar devices in order to cross the street, including the cross-walk. The use of roller skates/in-line skates to cross at a crosswalk is exempted from this prohibition.

Section 2. Section 8.30.060 of the Gig Harbor Municipal Code shall read as follows:

8.30.060 Penalties.

It is unlawful for any person to violate or fail to comply with any of the provisions of this chapter. With the exception of Section 8.30.050, an person who shall have committed a violation of this chapter shall, upon a finding by the municipal court that such a violation has been committed, shall be ~~subject to the civil infraction penalties as set forth in GHMC § 4.16.010~~ a civil infraction subject to a maximum penalty of Fifty Dollars (\$50.00). The municipal court may, in lieu of all or part of the penalty authorize the violator to provide up to eight (8) hours of community service.

Section 3. Severability. If any portion of this Ordinance or its application to any person or circumstances is held by a court of competent jurisdiction to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect the remainder of the Ordinance or the application of the remainder to other persons or circumstances.

Section 4. Effective Date. This ordinance shall take effect and be in full force five (5) days after passage and publication of an approved summary consisting of the title.

PASSED by the Council and approved by the Mayor of the City of Gig Harbor this 13th day of August, 2007.

CITY OF GIG HARBOR

CHARLES L. HUNTER, MAYOR

ATTEST/AUTHENTICATED:

By: _____
MOLLY TOWSLEE, CITY CLERK

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY:

By: _____
CAROL A. MORRIS

FILED WITH THE CITY CLERK: 07/18/07
PASSED BY THE CITY COUNCIL: 08/13/07
PUBLISHED: 08/22/07
EFFECTIVE DATE: 08/27/08
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