

ORDINANCE 03-

AN ORDINANCE AMENDING CHAPTER 79, ARTICLE II OF THE CODE OF THE CITY OF SALEM TO INCLUDE SECTION 79-10 ENTITLED "MOTORS PROHIBITED" AND SECTION 79-11 ENTITLED "DEFINITIONS."

WHEREAS, the Common Council of the City of Salem has determined that the health, safety and welfare of the citizens of the City will be promoted if such an Ordinance is adopted:

NOW, THEREFORE, BE IT ORDAINED by the Mayor and the members of the Common Council of the City of Salem, County of Salem, and the State of New Jersey that Chapter 79, Article II of the Code of the City of Salem is hereby amended to include section 79-10 to be entitled "Motors Prohibited," and section 79-11 entitled "Definitions" and which section shall read: ✓

§ 79-10 Motors Prohibited.

A. It shall be unlawful for any person to operate or permit to be operated motorized roller skates, scooters or skateboards within the City of Salem under any of the following circumstances:

1. On public land, unless such property is specifically designated and reserved for such operation by resolution of the Common Council of the City of Salem.
2. On private property of another without the express prior and written consent of the owner, which consent may be revoked freely by the owner; provided, further, that the operator or person responsible for such operation shall keep said consent on his person, available for immediate display during the period of such operation.
3. In any manner to create such noise, which unreasonably disturbs or interferes with persons in the peaceful and quiet enjoyment of their property.
4. In a reckless, careless or negligent manner, which endangers the safety or property of any person.

B. Any member of the Police Department who witnesses a violation of this section shall confiscate the motorized scooter, which shall remain in police custody until such time as:

1. The violator pleads guilty or is found guilty by the Municipal Court and pays the subsequent fine; or
2. The violator is found not guilty by the Municipal Court.

C. Any person violating this section shall be fined a minimum of \$100 and a maximum of \$1,000 per offense, as determined in the discretion of the Judge of the Municipal Court.

§ 79-11 Definitions.

The following terms, as used in this chapter, are defined below:

ROLLER SKATES, ROLLER BLADES, and IN-LINE SKATES -- A pair of devices worn on the feet with sets of wheels attached, regardless of the number or placement of those wheels, and used to glide or propel the user over the ground.

SCOOTER -- A low board fitted with a wheel at each end and a steering handle attached to the axle of the front wheel used to glide or propel the user across the ground.

SKATEBOARD -- A piece of wood or other material mounted on skate wheels used to glide or propel the user across the ground.

THIS ORDINANCE shall take effect according to law. All other Ordinances or part of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Attest:

Barbara A. Wright, Administrator

Robert D. Johnson, Council President