

Kroger

ORDINANCE 2006-11

AN ORDINANCE PROHIBITING THE USE OF
CERTAIN TRANSPORTATION DEVICES
WITHIN THE TOWN OF SANTA CLAUS, INDIANA

WHEREAS, skateboards, skates, scooters, minibikes, mopeds, golf carts, snowmobiles, off-road vehicles, horses and similar conveyances commonly used for recreational purposes may cause disruption, damage and safety and liability concerns for the Town and private property owners; and,

WHEREAS, the Town Council of the Town of Santa Claus, Indiana wishes to prohibit the use of such conveyances upon and within properties owned by the Town and upon other private property without the consent of the owner of such private property and impose penalties for violation of such prohibition.

NOW, THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Santa Claus, Indiana, that Title 6 of the Municipal Code of the Town be, and hereby is, amended by the addition of the following Section 6.08.100:

6.08.100. Skateboards, skates, scooters, minibikes, mopeds, golf carts snowmobiles and off-road vehicles.

- (1) "Off-road vehicle" shall have the same meaning herein as defined in I.C. §14-8-2-185, or as it may be amended or replaced.
- (2) Prohibition. No person may ride upon any skateboard, skates (whether in-line or roller), scooter, mini-bike, moped, golf cart, snowmobile, off-road vehicle, horse or similar device or contrivance in or on any of the following areas of the Town:
 - a. On the sidewalks, streets, alleys, roadways, rights-of-way, easements or public parking lots owned or controlled by the Town or any other public body, board or other governmental entity; and,
 - b. In or on any building owned or operated by the Town; and,
 - c. In any area of Yellig Park, including specifically, but not limited to, shelterhouses, basketball courts, tennis courts, ball diamonds, soccer fields, walking trails, parking lots, driveways, park sidewalks, playgrounds and on playground equipment, picnic tables, benches and seats; and,
 - d. At the Town Hall or upon the property surrounding the Town Hall;
 - e. At the Community Center, including specifically, but not limited to, the parking lot, sidewalks, shelterhouses, on picnic tables and in playgrounds or on playground equipment;
 - f. In any area of the Industrial Park; and,
 - g. On any other public or private property without the express written

authorization of the owner of such property.

- (3) Licensed motor vehicles operated at Yellig Park shall be operated only in designated parking lots and driveways, and shall not be operated on walking trails, on ball or soccer fields or other areas not designated or otherwise established for vehicular travel.
- (4) Nothing herein shall be construed to prohibit the use of licensed motor vehicles from driving and parking in designated locations on Town property; the use of off-road vehicles by Town personnel on Town business; the use of such conveyances in authorized parades or other processions; or, the proper use of motorized or nonmotorized wheelchairs, scooters or other conveyances required by the user due to disability or other medical conditions.
- (5) Penalty. The penalty for violation of this Subchapter shall be a municipal fine in the amount described below, if paid to the Clerk-Treasurer of the Town within thirty (30) days of the date of the violation:

First Offense:	\$10.00
Second Offense	\$25.00
Each Subsequent Offense	\$30.00

If any fine is not paid to the Clerk-Treasurer within thirty (30) days of the violation, the fine for a violation shall be \$50.00 regardless of priority, and such violation shall be referred to the Town attorney for prosecution. If such violation is referred to the Town Attorney, in any such prosecution the violator shall be responsible for and shall pay all court costs and attorneys' fees incurred by the Town, and the Court may award restitution for damages caused by any violation of this Ordinance.

This Ordinance shall be effective upon its passage and publication as required by law.

PASSED AND ADOPTED this 11th day of December, 2006.

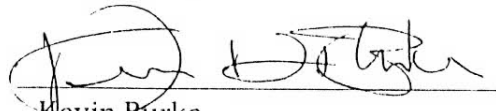


Ronald Smith, Council President

Michael Kamp



Elmer Dilger

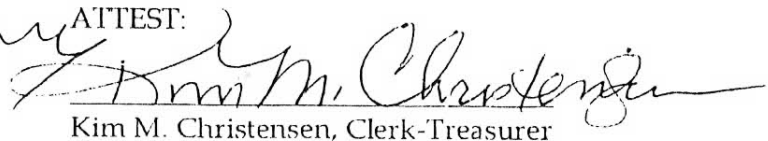


Kevin Burke



Michael Johannes

ATTEST:



Kim M. Christensen, Clerk-Treasurer