

**Adopted by the Board of Trustees on February 17, 2022
Village of North Bennington, Vermont**

Article 18. Skateboards and Roller Skates

Article 18-1 Purpose

Whereas, the Board of Trustees of the Village of North Bennington have after investigation, determined that the use of skateboards, and roller skates, unrestricted, present a nuisance and a danger to persons using pedestrian paths, sidewalks, and highways, that regulation is necessary to protect the health, safety, and welfare of the public.

Article 18-2 Authorization

By authority granted them by Section 1971 of Title 24 Vermont Statutes Annotated, municipalities are enabled to regulate activities of the public rights of way.

Article 18-3 Definitions

As used in this ordinance the following terms shall mean as follows:

- A. Skateboard shall mean any device constructed with wheels attached thereto, so designed, that a person or persons can attach or stand upon and propel themselves.
- B. Roller Skates shall mean and include any shoe like devices with wheels affixed either in tandem or otherwise which can be worn on the feet and upon which a person can propel themselves.
- C. Sidewalk shall include any area constructed or existing along and substantially parallel to highways, along rivers or streams, to or from buildings or parking lots, or connecting one or more streets, whether constructed of concrete, asphalt, gravel, stone, or delineated by painted lines, which are designed for primary use by pedestrians and are customarily used by pedestrians.
- D. Street. Highway or Roadway shall, when used to delineate an area, include the entire width of the right of way of said street.

Article 18-4 Prohibitions

Within the downtown area and on the streets and sidewalks therein the following prohibitions shall apply;

- A. No person shall ride upon, or propel, a skateboard on any streets or sidewalks at any time.
- B. No person shall use roller skates on the sidewalks at any time.

- C. Any person using roller skates on the roadways shall yield to pedestrians and motor vehicle traffic and shall keep as close to the right side of the roadway as possible and shall otherwise operate according to the same rules and practices as provided under the law for bicycles and shall operate with due regard for the safety of others.

Within all areas of the Village, under the jurisdiction of the Village of North Bennington, the following prohibitions shall apply:

- D. Any person who shall use skateboards or roller skates, shall not pass any pedestrian, from any direction or otherwise approach them within six (6) feet while in motion.
- E. Any person who shall use skateboards or roller skates, shall do so with due regard for the safety of others and without conflict with pedestrians, bicycles, and motor vehicles.

Article 18-5 Enforcement

A violation of the ordinance shall be a civil matter enforced in accordance with the provisions of 24 VSA Section 1974a and 1977 ET. Seq. A civil penalty of \$75 shall be imposed for violation of this civil ordinance and a waiver fee is set at \$50.

Article 18-6 Severability

This ordinance and the various parts, sentences, sections, and clauses thereof, are hereby declared to be severable. If any part, sentence, or clause is adjudged invalid, it is hereby provided that the remainder of this ordinance shall not be affected thereby.

Article 18-7 Effective Date

This Ordinance is hereby adopted by the Board of Trustees of the Village of North Bennington, Vermont on this day of the 17th day of February 2022. It shall be documented in full in the minutes of the Board of Trustees, posted in five (5) conspicuous places within the Village of North Bennington and published once in the Bennington Banner within fourteen (14) days of its adoption and shall become in full force and effect sixty (60) days after the date of adoption subject to the right of petition as provided by law.

Board of Trustees

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