

ORDINANCE NO. 24

COPY

AN ORDINANCE TITLED "COASTING DEVICES" ESTABLISHING
THE RULES OF USING COASTING DEVICES

Be it ordained by the Board of Directors of Twain Harte Community Services District as follows:

SECTION 1: A new ordinance of Twain Harte Community Services District is hereby added to read as follows:

A. Findings. Pursuant to Health and Safety Code Section 115800, the Board of Directors hereby finds that the use of coasting devices is deemed hazardous recreational activity within the meaning of Government Code Section 831.7. The Board of Directors hereby further finds that rules and regulations regarding the use of a coasting device are required in order to protect the public safety.

B. Definitions. For the purpose of this ordinance, the following words and phrases shall have the meaning given herein:

"Coasting devices" shall include any skateboard, roller skates, in-line skates, scooter, coaster, bicycle, or other rolling or wheeled device propelled by human, motor, or wind power.

"Shopping center" means a group of commercial establishments, planned, developed, owned or managed as a common unit with parking provided on the private property site.

C. Use and operation.

- a. It is unlawful for any person to use or operate a coasting device on any public park, playground or recreation area or other public property when there has been posted signs prohibiting the use of said coasting device.
- b. It is unlawful for any person to operate or use any coasting device upon any private parking lot or shopping center when signs prohibiting such activity are displayed.
- c. It is unlawful for any person to operate or use any coasting device within the main travel portion of any public street or alley.
- d. It is unlawful for any person who is operating any coasting device on a public sidewalk to fail to yield the right-of-way to all pedestrians within or approaching the area or to use said device in such a manner which endangers the safety of any other person or property.

- e. It is unlawful for any person to operate or use any coasting devices on or in a public skate facility located within Twain Harte Community Services District property unless that person is at all times wearing properly fitted and fastened protective devices consisting of a helmet, knee pads, wrist guards, and elbow pads. The only coasting devices permitted within a public skate facility are skateboards, roller skates, and in-line skates. Bicycles, coasters, scooters, or other rolling or wheeled devices are strictly prohibited.

D. Exceptions. This ordinance shall not apply in any of the following instances:

- A. Wheeled conveyances used principally as medically assisted devices or for the aid or assistance of physically limited or disabled persons.
- B. Bicycles that are used on the main travel portion of any public street or alley as provided for in the California Vehicle Code.

E. Penalties.

- A. Any person violating any of the provisions of this ordinance is guilty of an infraction punishable in accordance with the provisions of California Government Code Section 25132.
- B. The parent or legal guardian having control or custody of an unemancipated minor whose conduct violates this ordinance, shall be jointly and severally liable with the minor for any fines imposed pursuant to this ordinance.

- F. **Seizure of evidence.** Any device used in violation of any provision of this ordinance may be seized by the enforcing officers and removed, stored and reclaimed in accordance with law.

SECTION 2: If any provision of the Ordinance or the application thereof to any person or circumstances is for any reason held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect without the invalid provisions or applications thereof, and to this end the provisions of this ordinance are severable.

SECTION 3: This ordinance shall take effect thirty (30) days after its adoption. The Secretary of the Board of Directors is hereby authorized and directed to publish this ordinance in the Union Democrat, a newspaper of general circulation printed and published in the County of Tuolumne, State of California, prior to fifteen (15) days after its passage.

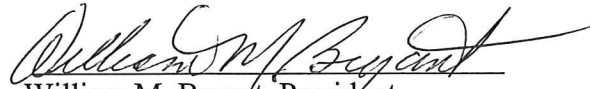
After holding a public meeting as required by law, the foregoing ordinance was passed and adopted at a regular meeting of the Board of Directors of the Twain Harte Community Services District, County of Tuolumne, State of California, on this 16th day of December 2003, by the following vote, to wit:

AYES: *Sandberg, Maxwell, Johnson, Bryant*

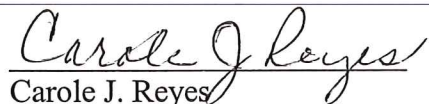
NOES: *None*

ABSTAIN: *None*

ABSENT: *Knudson*


William M. Bryant, President
Twain Harte Community Service Dist.

ATTEST:


Carole J. Reyes
Secretary to the Board

EPROSON SKATE PARK

Rules for Use and Conduct

RULES FOR USE:

- o **Skate boards and skates only--no bicycles**
- o **Users are required to wear helmets, knee pads suitable to provide protection in the event of falls or collision.**
- o **Please observe park hours, keep noise to a minimum and protect your skate park from graffiti and abuse. This is your park, please help to preserve it.**

WARNING:

- o **Skateboarding is a hazardous recreational activity. Use of this facility may result in death paralysis, brain damage, concussion, broken bones or other serious injury. Any use is at your own risk. (California Government Code Section 831.7)**

RULES OF CONDUCT:

- o **This facility is for the equal enjoyment of both Skateboarders and Skaters. Treat one another with respect.**
- o **Remove all debris prior to using facility.**
- o **Do not use facility if a hazardous condition exists. Report any damage/hazardous condition to the Twain Harte Community Services District 586-3172.**
- o **No formal contests on any kind shall be held without prior written approval of the Twain Harte CSD Manager.**
- o **Experienced skaters shall give less experienced skaters a fair chance to use the facility.**
- o **The Twain Harte CSD reserves the right to remove any person from the facility if he/she is acting in an in appropriate manner.**