

**AN ORDINANCE ESTABLISHING REGULATIONS ON SKATEBOARDING  
WITHIN THE VILLAGE OF MAGNETIC SPRINGS**

**Ordinance No. 15-03**

**WHEREAS**, the Village of Magnetic Springs is located within Union County, State of Ohio; and

**WHEREAS**, the Village of Magnetic Springs, Ohio desires to enforce regulations on skateboarding within the Village of Magnetic Springs, Ohio.

**THEREFORE, BE IT ORDAINED BY THE LEGISLATIVE AUTHORITY OF THE** Village of Magnetic Springs, Union County, Ohio, that

**SECTION I: DEFINITION**

A) Words and phrases defined for the purposes of this Ordinance shall have the meanings set forth in this section, unless normal construction in context shall clearly indicate the contrary:

1. "Skateboard" has its ordinary meaning and includes a board of any material with wheels affixed to the underside, designed to be ridden by a person. For the purpose of this Ordinance the term "skateboard" shall include the terms "scooter" and "coaster".

2. "Riding a skateboard" means standing with one or both feet touching the skateboard, crouching, sitting or lying upon the skateboard while it is in motion and/or propelling a skateboard.

3. Negligent maneuver means any maneuver that may cause injury to a person, including the rider, and/or damage to property, and/or any maneuver that threatens such injury or damage.

**SECTION II: SKATEBOARDING PROHIBITED**

A) It shall be unlawful for any person to ride a skateboard in any area of the Village designated herein as an area where skateboarding is prohibited and/or negligent manner as provided herein:

**SECTION III: AREAS OF VILLAGE SKATEBOARDING IS PROHIBITED**

A) Skateboarding shall be prohibited in the Village of Magnetic Springs on the following:

1. Village Hall and Village Hall grounds including sidewalks, parking areas, dumpsters, yards, driveway, stairs and rails, and all areas associated with the Village Hall;

2. United States Post Office located in Magnetic Springs including sidewalks, parking areas, yards, driveway, stairs and rails, and all areas associated with the United States Post Office located in the Village of Magnetic Springs;

3. Wherever signs are posted prohibiting the act of skateboarding.

**SECTION IV: NEGLIGENT SKATEBOARDING**

It shall be a violation of this Ordinance for any person to ride a skateboard in a negligent manner within the Village of Magnetic Springs.

**SECTION V: COMPLIANCE WITH TRAFFIC REGULATIONS**

A) In areas of the Village where skateboarding is not prohibited, it shall be a violation of this Ordinance for any person to ride a skateboard in a manner contrary to traffic and/or pedestrian regulations.

**SECTION VI: UNCONTROLLED SKATEBOARDING PROHIBITED**

A) It shall be a violation of this Ordinance for any skateboard to be out of the direct physical control of the owner or user while it is in motion anywhere within the Village of Magnetic Springs. Any skateboard in violation of this provision is subject to seizure and forfeiture as provided herein.

**SECTION VII: SEIZURE AND FORFEITURE**

A) Whenever a law enforcement officer has probable cause to believe that a skateboard was used or is intended to be used in violation of this Ordinance, such skateboard is subject to seizure and forfeiture. In the event of seizure pursuant to this Ordinance, forfeiture shall be deemed complete unless the owner requests a hearing before the Magistrate. At such hearing the forfeiture shall be ordered upon the officer's showing of probable cause as provided herein.

**SECTION VIII: PENALTIES**

A) Upon the admission or determination of responsibility for a violation of this Ordinance, the responsible person shall be assessed the following civil fines and costs:

1. FIRST VIOLATION: \$50.00
2. SECOND VIOLATION: \$150.00
3. THIRD VIOLATION: \$300.00

and all costs incurred by the Village in enforcement and prosecution including actual attorney fees. In addition, violators shall be responsible for reimbursement/restitution for damage caused by the violation.

**SECTION IX: EFFECTIVE DATE**

A) This Ordinance is necessary to protect the health, welfare, and safety of the people of the Village of Magnetic Springs and, therefore, this Ordinance shall become effective immediately upon publication.

**PASSED AS AN EMERGENCY UPON FIRST READING**

ATTEST:  
Casey J. Tuck  
Fiscal Officer

Matthew K. Cantrell  
Mayor

Carol Keritz  
Council President

APPROVED AS TO FORM

[Signature]  
Village Solicitor

**CERTIFICATE OF PUBLICATION**

Pursuant to the provisions of the ORC, Section 731.25, I Casey Tuck, Fiscal Officer of the Village of Magnetic Springs, published by posting the same on this 17<sup>th</sup> day of September, 2015, at each of the following public places in the Village of Magnetic Springs, as follows:

Village Hall  
Magnetic Springs P.O.

and the Magnetic Springs Municipal Building on this 17<sup>th</sup> day of September, 2015.

Casey J. Tuck  
Casey Tuck, Fiscal Officer