

Skate Park Ordinance Of Warren County, North Carolina

Section 1. General Requirements

Section 1.1. Authority

Warren County hereby exercises its authority to enact Skate Park regulations pursuant to N.C.G.S 153A-121, N.C.G.S 153A-123, and N.C.G.S. 153A-140.

Section 1.2. Jurisdiction

The jurisdiction of this Ordinance shall be described as any part of Warren County where a Skate Park has been erected that is owned and operated by Warren County.

Section 1.3. Short Title

This ordinance shall be known as the Skate Park Ordinance of Warren County, North Carolina, and may be cited as the Skate Park Ordinance.

Section 1.4. Purpose

The purpose of this Ordinance is to promote the public safety, health, and welfare of the citizens of Warren County through the regulation of skate parks owned and operated by Warren County. This article is adopted pursuant to the authority contained in N.C.G.S. 153A-121, N.C.G.S. 153A-123, and N.C.G.S. 153A-140.

Section 2. Hours, Times and Conditions of Operation

1. The Skate Park is open from 8:30 a.m. until dusk. There will be no trespassing when the park is closed.
2. The park will be closed during wet, snowy or icy conditions or during park maintenance periods.
3. Warren County reserves the right to close the Skate Park or modify its hours of operation for any reason at the direction and discretion of the County Manager and/or the Recreation Director.

Section 3. Park Supervision and Personal Liability

All persons entering the Skate Park are deemed to have knowledge that the Skate Park is a non-supervised activity site designed for skateboarding only, and that all use of the Skate Park is at the risk of the user.

Skaters must be at least 7 (seven) years old to use the Skate Park; 10 (ten) years old or younger will need parental/guardian supervision.

All persons entering the Skate Park are deemed to have agreed to indemnify, defend, and hold harmless Warren County, its officers, employees, agents, and volunteers for, from and against any accident, injury, including death, and/or loss of property or damage thereto sustained as a result of using the Skate Park pursuant to General Assembly of North Carolina Session Law 2003-334, Senate Bill 774.

Section 4. Skate Park Rules and Regulations

The following rules and regulations shall apply to the riding of skateboards at any facility or park owned or operated by Warren County that has been designated a Skate Park:

- A. Within the Skate Park, it shall be unlawful for any person to:
 1. Ride, operate, or use a skateboard unless that person is wearing a helmet designed for skateboarding with a chin strap, elbow pads designed for skateboarding with plastic elbow caps, and knee pads designed for skateboarding with plastic knee caps, which equipment shall be in good repair at all times during use.
 2. Ride, operate, or utilize a skateboard unless such equipment is in good repair at all times during use.
 3. Be on or use an individual apparatus within the Skate Park while another person is using it.

4. Place or utilize additional obstacles or other materials (including but not limited to ramps or jumps) within the skate park.
5. Use the Skate Park amenities when the surfaces of the amenities are wet or other conditions exist which would adversely affect the safety of skateboarders.
6. Use, operate, or possess any source of amplified music including but not limited to stereo's, boom boxes, and amplifiers.
7. Enter the Skate Park unless actively skateboarding in accordance with these regulations.
8. Use, consume, or have within his or her custody or control, food or beverages, within the Skate Park.
9. Use, consume, or have within his or her custody or control, alcohol, tobacco products, or illegal drugs within the Skate Park.
10. Enter upon the Skate Park grounds while under the influence of alcoholic beverages or illegal drugs.
11. Use or possess glass containers, bottles, or other breakable glass products within the Skate Park.
12. Use or engage in profanity, reckless and boisterous behavior (including, but not limited to, tandem riding, pushing, horseplay, and bullying) or any activity which could endanger the safety of persons using the Skate Park or spectators.
13. Engage in graffiti, tagging, or other defacing of Warren County property or the property of others.
14. Ride, operate, or utilize any device other than a skateboard (prohibited devices include, but are not limited to, bicycles, roller skates, in-line skates, motor vehicles, motorized skateboards, and motorized skates) in or on Skate Park apparatus.
15. No person shall enter or remain in or upon the Skate Park premises: 1) while closed, as determined by the Parks and Recreation Department, or 2) between the hours of 8:30 P.M. and 8:30 A.M.
16. Use or have within his/her custody or control, board wax, within the Skate Park.
17. No person shall enter in or upon the Skate Park premises with any animal.

Section 5. Enforcement

This ordinance may be enforced by the Warren County Recreation Department Director and/or his designee(s), the Warren County Sheriff's Department and/or the Police Departments of the Towns of Warrenton and Norlina depending upon the jurisdictional boundaries of the Skate Park(s).

Section 6. Violations and Penalties

Any person(s) who is found to be in violation of the provisions of this ordinance shall be subject to expulsion from the Skate Park and/or revocation of any privileges for its use.

Section 7. Skate Park Signage

The Skate Park shall be posted with signs at the following locations:

1. At the entrance to the Skate Park; and
2. On the fences of the Skate Park, facing the interior of the Skate Park, and in such places inside the park as may be deemed appropriate by the County. The signs shall not be less than 2 feet by 3 feet in size and shall use black letters on a white background. The signs may, but shall not be required to, summarize the rules and regulations governing the use of the skate facility. Each sign shall contain, in letters not less than ½ inch in height the following language:

WARNING

SKATEBOARDING IS A HAZARDOUS RECREATIONAL ACTIVITY. USE OF THIS FACILITY MAY RESULT IN SERIOUS INJURIES OR DEATH. WARREN COUNTY DOES NOT ASSUME RESPONSIBILITY FOR INJURIES OR DEATH. EACH PERSON ENTERING THE FACILITY ASSUMES ALL RISK OF INJURY OR DEATH. (GENERAL ASSEMBLY OF NORTH CAROLINA, SESSION LAW 2003-334, SENATE BILL 774) SKATERS MUST BE AT LEAST 7 YEARS OLD TO USE THE SKATE PARK; 10 YEARS OLD OR YOUNGER MUST HAVE PARENTAL/GUARDIAN SUPERVISION. NO PERSON SHALL ENTER OR REMAIN UPON THE SKATE PARK PREMISES WHILE

CLOSED, OR BETWEEN THE HOURS OF 8:30 P.M. AND 8:30 A.M. ANIMALS ARE PROHIBITED IN THE SKATE PARK.

IT IS UNLAWFUL FOR ANY PERSON TO RIDE, OPERATE, OR UTILIZE A SKATEBOARD UNLESS THE PERSON IS WEARING A HELMET DESIGNED FOR SKATEBOARD USE WITH A CHIN STRAP, ELBOW PADS DESIGNED FOR SKATEBOARD USE WITH PLASTIC ELBOW CAPS, AND KNEE PADS DESIGNED FOR SKATEBOARD USE WITH PLASTIC KNEE CAPS, WHICH EQUIPMENT SHALL BE IN GOOD REPAIR AT ALL TIMES DURING USE.

IT IS UNLAWFUL FOR ANY PERSON TO RIDE, OPERATE, OR UTILIZE ANY DEVICE OTHER THAN NON-MOTORIZED SKATEBOARDS. IT IS UNLAWFUL FOR ANY PERSON TO: USE, OPERATE, OR POSSESS ANY SOURCE OF AMPLIFIED MUSIC; CONSUME, OR HAVE WITHIN HIS/HER CUSTODY OR CONTROL, ALCOHOL, TOBACCO PRODUCTS, ILLEGAL DRUGS, FOOD, BEVERAGES, GLASS CONTAINERS, BOTTLES, OR OTHER BREAKABLE GLASS PRODUCTS WITHIN THE SKATE PARK. ANY PERSON FAILING TO COMPLY WITH THESE REGULATIONS MAY BE SUBJECT TO EXPULSION FROM THIS FACILITY AND/OR REVOCATION OF ANY PRIVILEGES FOR ITS USE.

Section 8. Severability

Should any section or provision of this ordinance be declared invalid or unconstitutional by any court of competent jurisdiction, the declaration shall not affect the validity of this ordinance as a whole or any part thereof that is not specifically declared to be invalid or unconstitutional.

Section 9. Conflict with Other Laws

Wherever the requirements of this ordinance are at variance with the requirement of any other lawfully adopted statutes, rules, regulations or ordinances, the most restrictive or those imposing higher standards shall govern.

Section 10. Amendments

The Warren County Board of Commissioners may periodically amend the terms of this ordinance.

The governing body shall adopt no amendment to this ordinance until a public hearing properly announced has been held on the proposed amendment.

Section 11. Effective Date


This Ordinance shall take effect thirty days from and after its passage and approval.

Approved this 5th day of January, 2009


Barry Richardson, Chairman
Warren County Board of Commissioners

Attest:

Angelena Kearney-Dunlap, Clerk to the Board

Approved as to Form:

Michael Williams
County Attorney

