



Town of Proctor

Play Vehicle Ordinance

Adopted: August 9, 2004
Effective: October 8, 2004

Town of Proctor Play Vehicle Ordinance

Section I Definitions

As used in this ordinance, the following terms and terms derived from them shall have the following meanings, unless the context clearly indicates that a different meaning is intended:

Person: Any natural person, whether minor or adult.

Play vehicle: A coaster, skateboard, scooter, roller skates, in-line skates, roller blades, sled, toboggan, ice skates, roller skis, or other like vehicle, excluding bicycles.

Section II Findings

The members of the Selectboard find that unregulated operation of play vehicles on public streets, town owned parking area, sidewalks, and public parking areas, creates a hazard both to the public and to such persons operating such play vehicles because such operation tends to conflict with efficient and safe vehicular and pedestrian use of such areas.

Further, the Selectboard finds that unregulated operation of play vehicles on private property without the permission of the owner of such property is an infringement upon property rights and leads to confrontations between property owners and persons riding such play vehicles.

Section III Prohibited Acts

- (a) It shall be unlawful for any person to ride a play vehicle on a public street, town owned parking area, or sidewalk in such a manner as to create an obstruction to, or interfere with, any vehicle operating on such area, or pedestrian using such sidewalk. Persons on play vehicles shall yield the right-of-way to any vehicle or pedestrian they may encounter.
- (b) All play vehicles being operated or used on a public street shall be operated within three (3) feet of the edge of the pavement. Play vehicles shall come to a complete stop before crossing any public street, and when the way is clear, shall cross at a ninety-degree angle.
- (c) Play vehicles are prohibited on the following public streets:

- a. Vermont Route 3 (South Street / East Street) from the Rutland Town line, northerly to the Pittsford Town line.
- b. Main Street from the intersection with Vermont Route 3 (South Street / East Street) westerly to the intersection of Church Street.
- c. Church Street from the intersection of Main Street, westerly to the intersection of High Street.
- d. North Street from the intersection of Florence Road, northerly to the intersection of Meadow Street.
- e. Ormsbee Avenue from # 3 Ormsbee Avenue westerly to the intersection of Vermont Route 3 (South Street/East Street).
- f. Use of sidewalks in the above-prohibited areas is permitted.

Section IV Penalties

- (a) First Offense – For a first offense, a written warning shall be issued to the offender and no civil penalty shall be imposed. If the offender is under the age of eighteen (18) years of age, a parent or guardian shall be notified and provided with a copy of the written warning, either in hand, or by first class mail.
- (b) Second and subsequent offenses – Any person violating this ordinance after being issued a written warning for a prior violation of any portion of the ordinance, commits a civil offense. The following fine schedule has been adopted by the Selectboard:
 - a. Second offense – a fine of \$50.00
 - b. Third offense – a fine of \$100.00
 - c. Fourth and subsequent offenses – a fine of \$200.00
- (c) Waiver penalty – An offender has the option of paying a waiver fine in the amount of 50% of the applicable fine in lieu of a hearing.
- (d) Pending resolution of a second or subsequent offense, either by payment of the applicable fine or after adjudication by hearing before the Judicial Bureau, the play vehicle may be retained by law enforcement as evidence.

Section V Enforcement

Any certified Vermont law enforcement officer may enforce the provisions of this ordinance.