

TOWN OF MORRISTOWN

ORDINANCE O-28-2021

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 3-9, “SKATEBOARDS”, CHAPTER 11-4, “CONDUCT IN PARKS AND RECREATION AREAS”, CHAPTER 18-9, “RIDING UPON STREETS AND SIDEWALKS”, AND ADDING NEW CHAPTER 3-10 ELECTRIC PERSONAL TRANSPORTATION VEHICLES

WHEREAS, scooters, skateboards and other personal transportation devices are good sources of transportation, especially as alternatives to automobiles; and

WHEREAS, use of scooters, skateboards and other personal transportation devices present significant opportunities for recreation, especially for young people; and

WHEREAS, the Town Council wishes to support the use of scooters, skateboards and other personal transportation devices in the Town while ensuring their use does not conflict with pedestrians’ use of sidewalks.

NOW, THEREFORE BE IT ORDAINED, by the Town Council of the Town of Morristown, County of Morris, State of New Jersey, being the governing body thereof, that Chapter 3-9 Skateboards, Chapter 3-10 Electric Personal Transportation Vehicles, Chapter 11-4 Conduct in Parks and Recreation, and Chapter 18-9 Riding Upon Streets and Sidewalks are amended and supplemented to read as follows:

§ 3-9 SKATEBOARDS, SCOOTERS, AND OTHER HUMAN POWERED PERSONAL TRANSPORTATION DEVICES

3-9.1 Riding on the Sidewalk

1. No person over the age of 12 years old shall ride a skateboard, scooter, roller blades or roller skates, or other human powered personal transportation device upon a sidewalk within the following business districts:
 - (a) Speedwell Avenue between Sussex Avenue and The Green
 - (b) Morris Avenue between Elm Street and The Green
 - (c) South Street between Elm Street and the Green
 - (d) Washington Street between Atno Avenue/Phoenix Avenue and The Green

- (e) North Park Place
- (f) West Park Place
- (g) South Park Place
- (h) East Park Place

2. Any person riding a skateboard, scooter, roller blade, roller skates or other human powered personal transportation device on any sidewalk in the Town of Morristown shall yield to pedestrians.

3. Users of skateboards, scooters, roller blade, roller skates or other human powered personal transportation device are prohibited from using public or private benches, rails, walls, fences or any other public or private infrastructure for the purpose of doing tricks.

4. Helmets. Anyone under 17 years of age that rides a skateboard, scooter, roller blade, roller skates or other human powered personal transportation device must wear a safety helmet.

5. Violations and penalties

a. Maximum penalty. For violation of any provision of this section, the maximum penalty shall, upon conviction of a violation, be a fine not exceeding \$500.

b. In addition to any penalty, a police officer or other law enforcement agent may confiscate the skateboard, scooter or other personal transportation device and obtain the person's name, address, telephone number and age. Any personal transportation device confiscated under this subsection shall be returned to persons 17 years of age or older, not earlier than 24 hours after the violation upon their appearance at the Morristown Police Department and the execution of a declaration of ownership. Any personal transportation device confiscated from those persons under the age of 17 shall be returned, not earlier than 24 hours after the violation, to the person's parent or guardian upon their appearance at the Morristown Police Department and the execution of a declaration of ownership.

c. Application. The maximum penalty stated in the general penalty clause of this section is not intended to state an appropriate penalty for each and every violation. Any lesser penalty, including a nominal penalty or no penalty at all, may be appropriate for a particular case or particular violation.

§ 3-10 ELECTRIC PERSONAL TRANSPORTATION VEHICLES

3-10.1 Definitions

Electric Personal Transportation Vehicle means: a personal electric rideable mobility device used for transporting an individual at speeds that do not normally exceed 25 km/h (16 mph). Examples include electric bicycle, Segway, electric scooter, electric skateboard, electric unicycle, hoverboards. Anyone under 17 years of age that rides an electric personal transportation vehicle must wear a safety helmet.

3-10.2 Riding on the Sidewalk

Use of Electric Personal Transportation Vehicles is prohibited on any sidewalk in the Town of Morristown.

§ 11-4 CONDUCT IN PARKS AND RECREATION AREAS.

§ 11-4.1 Prohibited acts.

Section h. is hereby deleted

h. No person shall ride a skateboard, roller blades, or roller skates in any park within the Town.

Chapter 18-9 is hereby deleted

§ 18-9 RIDING OR DRIVING ON SIDEWALKS PROHIBITED.

§ 18-9.1 Riding upon streets and sidewalks.

It shall be unlawful for any person over the age of 12 to ride or use any skateboard, roller blades, scooter or similar devices upon any sidewalk within the Town of Morristown, except for the delivery of newspapers or merchandise. Exemptions shall be permitted solely in residential sections of the Town and only when such residential sidewalks are not being used by pedestrians. The provisions of this section shall not apply to the use of any electric power-driven mobility device by a person with a mobility disability.

BE IT FURTHER ORDAINED, if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective.

BE IT FURTHER ORDAINED, any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER ORDAINED, This Ordinance shall take effect upon passage.

ATTEST:

ADOPTED:

Margot G. Kaye,
Town Clerk

Timothy P. Dougherty,
Mayor
Date: _____