

TOWN OF APEX, NORTH CAROLINA

ORDINANCE NO. 2020-0616-20

**AN ORDINANCE AMENDING TOWN CODE CHAPTER 15, SECTION 15-10,
“REGULATION OF SKATE PARKS”**

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Apex as follows:

Section 1. That Section 15-10 of the Town of Apex Code of Ordinances is hereby amended as shown immediately below with deletions being shown by struck-through text and additions shown by underlined text:

Sec. 15-10. - Regulation of skate plazas.

- (a) Skate plaza is defined as any town-owned facility specifically designed, constructed, and designated by on-site signage as an area in which a person may engage in skateboarding, inline skating, roller skating, and riding a non-motorized scooter. A non-motorized scooter is defined as a human-powered vehicle with a handlebar, deck, and wheels that do not exceed five inches in diameter.
- (b) It shall be unlawful to use any other conveyance of any type within a skate plaza, including but not limited to bicycles ~~or roller skates~~.
- (c) Any person using or riding a skateboard, inline skates, roller skates, or non-motorized scooter in a skate plaza or in any parks and recreation facility in which a skate plaza is located shall wear a protective helmet with the chin strap securely fastened under the chin, and protective elbow pads and knee pads. Participants ten years old and under must be supervised by an adult at all times.
- (d) It shall be unlawful for the parent or guardian of any minor child to knowingly permit such minor child to use the skate plaza in violation of this section.
- (e) Violations of this section shall be deemed infractions pursuant to G.S. 14-4, punishable by a fine of up to \$25.00 and any other costs as prescribed by law. In addition, violations may be addressed through administrative remedies imposed by rule enacted by the director of parks, recreation and cultural resources including expulsion from the skate plaza and the facility in which it is located.

(Ord. No. 2015-0407-13, § 1, 4-7-2015; Ord. No. 2015-0519-17, § 1, 5-19-2015; Ord. No. 2015-0818-33, § 1, 8-18-2015)

Section 2. **The Town Clerk and/or Town Manager are hereby authorized to renumber, revise formatting, correct typographic errors, to verify and correct cross references, indexes and diagrams as necessary to codify, publish, and/or accomplish the provisions of this Ordinance or future amendments as long as doing so does not alter the terms of this Ordinance.**

Section 3. **Severability, Conflict of Laws. If this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable. All ordinances or parts of ordinances in conflict with this Ordinance are hereby repealed.**

Section 4. **Effective Date. This Ordinance shall be effective upon adoption.**

Introduced by Council Member _____

Seconded by Council Member _____

Attest:

TOWN OF APEX, NORTH CAROLINA

Donna B. Hosch, MMC, NCCMC
Town Clerk

Jacques K. Gilbert
Mayor

Approved As To Form:

Laurie L. Hohe
Town Attorney