

PROPOSED
ORDINANCE NO. 10-18

ORDINANCE NO. _____

AN ORDINANCE
TO BE ENTITLED:

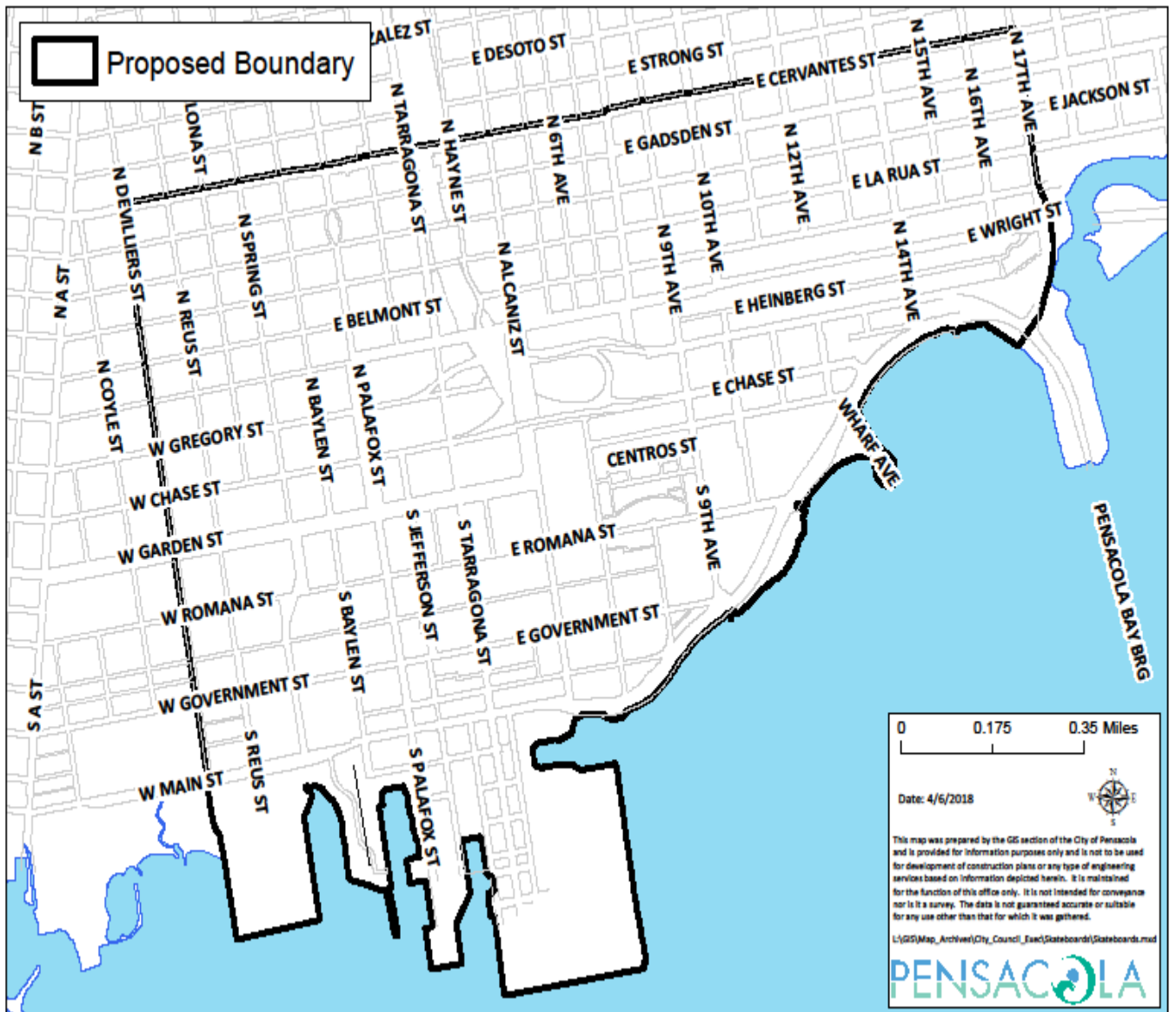
AN ORDINANCE AMENDING SECTION 11-4-18 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PROHIBITION OF SKATEBORDS ON SIDEWALKS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 11-4-18 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 11-4-18. - Prohibition of skateboards on sidewalks.

- (a) Skateboarding shall be prohibited on public sidewalks and on walkways, publically owned property and parking lots in an area bounded on the west by the west right-of-way line of ~~Baylen~~ Devilliers Street, on the north by the north right-of-way line of Cervantes Street, on the east by the east right-of-way lines of ~~Guillemard Street and Jefferson Street~~ 17th Avenue, and on the south by the waterfront. ~~A map depicting this area is on file in the office of the city clerk.~~



- (b) Within the city limits of the City of Pensacola no person shall skateboard on any property that has been posted by the owner to prohibit skateboarding thereon. Posting shall mean that a sign or signs have been placed on the property, with letters of not less than two (2) inches in height with the words "No Skateboarding", and stating the name of the owner of the property. One (1) or more signs shall be placed in a manner so as to be clearly visible from outside the property boundaries to provide reasonable notice to the public that the property is posted as no skateboarding. As used herein, the term "owner" shall include any person having any interest in said property under and by virtue of which the person is entitled to possession thereof, and shall include the agents or authorized employees of the owner. Any owner of property who posts "No Skateboarding" signs on their property shall notify the police department of such posting.

- (c) A violation of this section shall be deemed a noncriminal infraction. The penalty for violations of this section shall be fines according to the following schedule:
- (1) First offense \$ 10.00
 - (2) Second offense 20.00
 - (3) Third offense 35.00
 - (4) Fourth and subsequent offenses, per offense 50.00
- (d) Notwithstanding the fines provided in subsection (c) above, the penalty for skateboarding on a device intended to serve as a handrail, a fence, a wall, a step, a fountain, or a bench shall be a fine up to five hundred dollars (\$500.00), and/or an obligation to perform up to eighty (80) hours of supervised community service. The amount of the fine and the extent of the community service obligation are to be determined by the county court. The violation of this section shall be deemed a noncriminal infraction.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: _____

Approved: _____
President of City Council

Attest:

City Clerk