

ORDINANCE NO. F-0521

**AN ORDINANCE AMENDING THE WHEATON CITY CODE
SECTION 42-21 "SKATEBOARDS, IN-LINE SKATES,
ROLLERSKATES, AND SCOOTERS - PROHIBITED IN DESIGNATED AREAS
AND SECTION 70-514 "OPERATION ON SIDEWALKS IN
CENTRAL BUSINESS DISTRICT PROHIBITED**

WHEREAS, the City previously adopted Section 42-21 (formerly Code 1968, Section 17-58) of the Wheaton City Code; and

WHEREAS, since the adoption of this Section, the City has determined that the use of skateboards, in-line skates, rollerskates, and scooters has increased on City property, both inside and outside of the central business district; and

WHEREAS, the increased use of skateboards, in-line skates, rollerskates, and scooters on City property endangers the public health, safety, and welfare in that:

- a. It presents a risk of harm to pedestrians;
- b. Causes damage to City owned property;
- c. Endangers the safety of the skateboarders, in-line skaters, rollerskaters, and scooter users; and
- d. Interferes with the free and open use of public property by *intended users* as described herein; and

WHEREAS, *intended users* are pedestrians walking or running on foot upon any sidewalk, street, public way or parking lot within the City of Wheaton and shall specifically exclude skateboard users, in-line skaters, rollerskaters, and scooter users.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Wheaton, DuPage County, Illinois, pursuant to its home rule powers that Section 42 entitled, "Skateboard, rollerskaters, and scooters prohibited in the central business district" is repealed and rescinded in its entirety and replaced by a new Section 42-21, which shall be entitled, "Skateboards, In-line skates, Rollerskaters and Scooters Prohibited" and provide as follows:

"Section 1: Section 42-21. Skateboards, in-line skates, rollerskaters, and scooters prohibited in designated areas.

(b) *Prohibition.*

Except as to areas owned and authorized for skateboard, in-line skate, rollerskate or scooter use on property of the Wheaton Park District organized in conformance with Illinois law, it shall be unlawful:

- (1) To operate or propel any skateboard, in-line skate, rollerskate, or scooter, whether motorized or non-motorized, upon any sidewalk, street or public way or in or upon any municipal parking area in the central business district of the City of Wheaton.
- (2) To operate or propel any skateboard, in-line skate, rollerskate, or scooter, whether motorized or non-motorized, upon any fence, berm, retaining wall, dividing wall or

structure, parking barrier, stairway, hand rail or guard rail in any municipal parking lot, or other municipally owned property within the corporate boundaries of the City of Wheaton.

Section 2: That Section 70-514 of the Wheaton City Code (formerly Code 1968, Section 7-12) is hereby deleted in its entirety and replaced as follows

Section 70-514. Operation on sidewalks in central business district prohibited.

No bicycle shall be operated by any person upon any sidewalk in or upon any municipal parking area within the central business district of the city, as defined in section 42-21 of this Code."

Section 3: That all Ordinances or parts of Ordinances in conflict with the provisions of this Ordinance are hereby repealed.

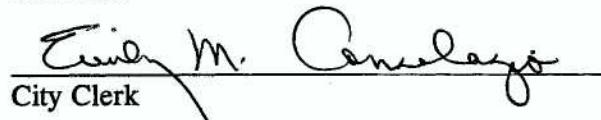
Section 4: That this Ordinance shall become effective from and after its passage, approval and publication in a manner provided by law.

Section 5: In all other respects, the terms and provisions of the Wheaton City Code are ratified and remain in full force and effect.



Mayor

ATTEST:



Emily M. Canalejo
City Clerk

Roll Call Vote:

Ayes:

Councilwoman Davenport
Councilman Eckhoff
Councilman Gresk
Mayor Carr
Councilman Johnson
Councilwoman Johnson
Councilman Mork

Nays:

None

Absent:

None

Motion Carried Unanimously

Passed: September 18, 2000

Published: September 19, 2000