

ORDINANCE 2018-16

BOROUGH OF HIGHTSTOWN
COUNTY OF MERCER
STATE OF NEW JERSEY

AMENDING CHAPTER 3, ENTITLED “POLICE REGULATIONS”, SECTION 3-9, ENTITLED “BICYCLES, SKATEBOARDS, SCOOTERS, SKATES AND ROLLER BLADES” OF THE *REVISED GENERAL ORDINANCES OF THE BOROUGH OF HIGHTSTOWN*

WHEREAS, The Hightstown Police Chief finds the current ordinance regarding bicycles, skateboards, scooters, skates and roller blades unenforceable and in order for the Police Department to enforce said ordinance, recommends revisions be made; and

WHEREAS, The Mayor and Council of Hightstown Borough agree with said recommendation.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Hightstown as follows:

1. Section 1. Chapter 3, entitled “Police Regulations”, Section 3-9, entitled “Bicycles, Skateboards, Scooters, Skates, and Roller Blades” of the *Revised General Ordinances of the Borough of Hightstown* is hereby amended as follows (deletions are crossed out; additions are underlined):

Section 3-9

BICYCLES, SKATEBOARDS, SCOOTERS, SKATES AND ROLLER BLADES*

Subsections:

3-9.1 Definitions.

3-9.2 Rules and Regulations.

3-9.3 Riding Prohibited on Certain Sidewalks.

3-9.4 Violations and Penalties.

* **Editor's Note:** Helmets are required when riding a bicycle pursuant to N.J.S. 39:4-14.3q.

3-9.1 Definitions.

As used in this section:

“Bicycle” shall mean a device, with tires connected by a frame and arranged to be propelled by human or electric power. This definition shall not apply to vehicles used by individuals with disabilities per ADA regulations.

“Roadway” shall mean that portion of a highway improved, designated or ordinarily used for vehicular travel, exclusive of the berm or shoulder.

“Sidewalk” shall mean that portion of a highway intended for the use of pedestrians between the curblineline or the lateral line of a shoulder or, if none, the lateral line of the roadway and the adjacent right-of-way line. (1991 Code § 63-1; Ord. 2001-05, Amended, 06/04/2001)

3-9.2 Rules and Regulations.

a. The following rules and regulations shall be observed in the operation of bicycles, skateboards, scooters, skates and roller blades in the streets and public places of the Borough:

1. Every person operating a bicycle, skateboard, scooter, skates or roller blades shall at all times operate such vehicle with due regard for the safety of other persons and vehicles lawfully upon the streets, highways, parkways and public places, as well as for his own safety, and shall at all times and under all conditions yield the right-of-way to pedestrians on the streets, highways, public places and crosswalks.

2. No person shall operate a bicycle upon the streets, highways, parkways and public places of the Borough during the period of one (1) hour after sunset to one (1) hour before sunrise unless the bicycle is equipped with a front light casting a beam of white light in front of the bicycle visible for not less than five hundred (500) feet and also with a real signal, i.e., an official reflector or red light, visible for not less than three hundred (300) feet.

3. No person shall operate a bicycle upon the streets, highways, parkways and public places of the Borough that is not equipped with adequate brakes and warning signals, all of which shall be in proper working order during all the time of operation of the bicycle after police inspection and approval.

4. The hand signal shall be used to indicate that an operator is about to turn or change the direction of any bicycle.

5. No person operating a bicycle, skateboard, scooter, skates or roller blades upon any street, highway or parking or public place shall attach himself to any other moving vehicle.

6. No person operating a bicycle for carrying only the rider shall carry another person on the front or rear frame or handlebars of a bicycle.

b. These rules and regulations are intended to supplement the laws of the State of New Jersey and not to alter them. The laws of the State of New Jersey are incorporated herein as if set forth in detail. (1991 Code § 63-6; Ord. 2001-05, Amended, 06/04/2001)

3-9.3 Riding Prohibited on Certain Sidewalks.

In the following described areas, the riding of a bicycle, skateboard, scooter, skates or roller blades shall be prohibited on the sidewalks. In those areas, bicycles shall be walked on the sidewalk.

a. On Mercer Street from the intersection of Ward Street north to Main Street.

b. On South Main Street from the intersection of Ward Street north to Main Street.

c. On Main Street from the intersection of Mercer Street and South Main Street north to the intersection of Franklin Street.

d. On Stockton Street from the intersection of Academy Street to Main Street.

e. On Franklin Street from the intersection of Broad Street to Main Street.

f. On North Main Street from the intersection of Monmouth Street south to Main Street. (1991 Code § 63-7; Ord. 2001-05, Amended, 06/04/2001)

g. On Rogers Avenue from the intersection of Railroad Avenue to Mercer Street.

3-9.4 Violations and Penalties.

a. Bicycles

1. Any person under the age of eighteen (18) who violates any of the provisions of this section relating to vehicle and traffic laws or the bicycle safe-riding rules and regulations and the official police instructions for the safe operation of a bicycle shall be reprimanded for the first offense, in writing, by the Borough Police Department, addressed to the offender's parent or guardian, stating the nature of the violation and a warning that a repetition of the violation or any other violation of this section shall cause the violator's parent or guardian to be subject to penalties and fines as though the offender was over eighteen (18) years of age. On the second or any subsequent complaint the offender's parent or guardian shall receive a summons subject to penalties and fines as though the violator was eighteen (18) years of age. (1991 Code § 63-8)
2. Any person over the age of eighteen (18) who violates any of the provisions of this section relating to vehicle and traffic laws or the bicycle safe-riding rules and regulations and the official police instructions for the safe operation of a bicycle shall be subject to penalties as set forth in Section 1-5, "General Penalty," of the *Revised General Ordinances of the Borough of Hightstown*.

b. Skateboards, Scooters, Skates and Roller Blades

1. Any person under the age of eighteen (18) who violates any of the provisions of this section relating to skateboards, scooters, skates or roller blades shall be reprimanded for the first offense, in writing, by the Borough Police Department, addressed to the offender's parent or guardian, stating the nature of the violation and a warning that a repetition of the violation or any other violation of this section shall cause the violator's parent or guardian to be subject to penalties and fines as though the offender was eighteen (18) years of age. On the second or any subsequent complaint, the offender's parent or guardian shall receive a summons subject to penalties and fines as though the violator was eighteen (18) years of age.
2. Any person over the age of eighteen (18) who violates any of the provisions of this section relating to skateboards, scooters, skates or roller blades shall be subject to penalties as set forth in Section 1-5, "General Penalty," of the *Revised General Ordinances of the Borough of Hightstown*. (Ord. 2001-05, Amended, 06/04/2001)

Section 2. This Ordinance shall become effective immediately upon final passage and publication in accordance with the law.

Section 3. All other Ordinances or parts of Ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 4. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to that portion of the Ordinance actually adjudged to be invalid, and the remaining portions of this Ordinance shall be deemed severable therefrom and shall not be affected.

Introduction: September 17, 2018

Adoption:

ATTEST:

DEBRA L. SOPRONYI
MUNICIPAL CLERK

LAWRENCE D. QUATTRONE
MAYOR