

**BOROUGH OF YOE
YORK COUNTY, PENNSYLVANIA**

Ordinance No. 2021-01

**AN ORDINANCE OF THE BOROUGH OF YOE, YORK COUNTY, PENNSYLVANIA,
AMENDING AND CONSOLIDATING CHAPTER 6, PARTS 3 AND 4, OF THE YOE
BOROUGH CODE OF ORDINANCES**

WHEREAS, an ordinance was adopted by the Borough of Yoe on July 7, 1987, and codified as Chapter 6, Part 3, §6-301 - §6-303, which provided for the Regulation of Pedalcycles and Non-motorized Vehicles.; and

WHEREAS, an ordinance was adopted by the Borough of Yoe on February 1, 2011, and codified as Chapter 6, Part 4, §6-401, which specifically regulated, in certain instances: Skates, Skateboards, Coasters, Sleds and Other Toy Vehicles.; and

WHEREAS, it has come to the attention of the Yoe Borough Council that Chapter 6, Parts 3 and 4, have become obsolete due to the elimination of the “business district” and other developments, and are no longer sufficient to meet the original intent.; and

WHEREAS, the Yoe Borough Council believes it to be in the public interest to amend and consolidate Chapter 6, Parts 3 and 4 to bring those parts in-line with the original intent of prohibiting the use of any unlicensed, recreational vehicles on any Yoe Borough street or sidewalk unless duly designated by Yoe Borough for such purpose.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the Borough Council of the Borough of Yoe, York County, Pennsylvania, and it is hereby ordained and enacted, in lawful session assembled, that Chapter 6, Part 3 § 6-201, § 6-202, §6-301, §6-302, and §6-401 of the Yoe Borough Code of Ordinances shall be amended and consolidated as follows:

Part 2

Regulating Motorized Wheeled Vehicle

§ 6-201. Finding and Purposes

It has been determined that the riding of motorized wheeled vehicles, including, but not limited to, electric-powered bicycles, gas-powered bicycles, electric scooters, hoverboards, motorized skateboards, regardless of the number of wheels, known as mini-bikes, trail bikes, dirt bikes, motorcycles, all-terrain vehicles and any similar motorized apparatus used to carry a person ~~vehicles, regardless of the number of wheels, (hereinafter referred to as “vehicle(s)”) or “vehicles”~~ in throughout the Borough of Yoe in places other than recognized streets and highways has increased, has become in some cases creating a danger to those participating as well as others, unnecessarily exposing Borough residents to civil liability, causing damage to both public and private property, and has become an general annoyance to those who wish to enjoy peace and tranquility where they live and work ~~are employed~~. It is the purpose of this Part to provide

protection to owners of properties being used by such vehicles, to the users of such vehicles, to the users of such vehicles, and to those who wish to enjoy the premises upon which they live and work without undue annoyance.

(Ord. 93-002, 8/3/1993, § 6-201)

§ 6-202. Prohibited Conduct

Except as otherwise provided by law, it shall be unlawful to operate any vehicle, as described in § 6-201, ~~where a vehicle is being operated by the owner, or residential occupier, or a member of the immediate family of the owner of a property or on public streets or highways, driveways giving motor vehicles access to public streets or highways, business premises being patronized by the operator, or place of employment of the operator, or the owner or occupier of a property waives the hereinafter stated restriction, said vehicle shall not be operated~~ within 500 feet of a structure being occupied for human living purposes or regularly occupied by people in their place of business or employment. The prohibited conduct in this section shall not apply to the operation of any vehicle upon land owned by the operator, or which the operator would otherwise have a lawful right (lessees, invitees, etc.) to be on said land.

(Ord. 93-002, 8/3/1993, § 6-202)

Part 3

Regulation of ~~Bicycles~~, Skateboards, Scooters, Pedalcycles (Bicycles) and All Other Non-Motorized Vehicles

§ 6-301. Use of Skates, Skateboards, Scooters, Coasters, Sleds and Other Recreational Vehicles on All Public Streets and Sidewalks Prohibited.

Unless otherwise provided for by law, ~~under special exception~~ The use of skates, skateboards, scooters, coasters, sleds, and any other similar manually or naturally powered apparatus used to carry a person on all public streets and on all sidewalks adjacent to public streets is hereby forbidden.

(Ord. 87-004, 7/7/1987, §1)

§ 6-302. Designation of Certain Streets

The use of sleds, toboggans, saucers or similar recreation equipment for gliding, coasting, or sledding on ice, ~~or snow, or bare ground~~ is hereby forbidden on public streets and sidewalks within the Borough of Yoe. The Borough reserves the right to designate a street or portion thereof under the authority of §15-105 for sledding, coasting, or similar use. Such designation shall be made by the Mayor and shall expire at 4 P.M. on the day designated.

(Ord. 87-004, 7/7/1987, §2)

Part 4

Placement of Objects Upon Public Streets and Sidewalks Prohibited

~~Skates, Skateboards, Coasters, Sleds and Other Toy Vehicles~~

§ 6-401. Prohibition to the Placement of Objects upon Public Streets and Sidewalks. ~~Skates, Skateboards, Coasters, Sleds and Other Toy Vehicles.~~

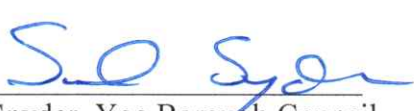
1. Except as otherwise provided for by law, it shall be unlawful for any person to intentionally place any object or thing upon, or otherwise alter, any public road or sidewalk, regardless of size, shape, dimensions or characteristics of that object. ~~ride on a sled upon any sidewalk in the Borough, or upon any roadway unless that roadway is on a portion of the street blocked off for sledding by. Provided, nothing in this subsection shall prevent a pedestrian from pulling a sled, with or without a rider, upon a sidewalk.~~
2. The prohibition to the placement of objects upon public streets and sidewalks shall not apply in situations where the Yoe Borough Mayor has waived such prohibition under, or in conjunction with, the authority provided under §6-303 and/or §15-105. ~~It shall be unlawful for any person to engage in roller skating, skateboarding or to ride upon or propel any coaster or other toy vehicle upon:~~
 - A. ~~Any street except in order to cross the roadway.~~
 - B. ~~Any sidewalk located in a business district, except that nothing in this subsection shall prevent a pedestrian from pulling a coaster or other toy vehicle, with or without a rider, upon a sidewalk.~~
3. Any person, firm or corporation who shall violate any provision of this Part, upon conviction thereof, shall be sentenced to pay a fine of not less than \$100 for the first offense, \$250 for the second offense, and \$500 for the third offense nor more than \$1,000 plus costs for any offense and, in default of payment of said fine and costs, to a term of imprisonment not to exceed 30 days. Each day on which a violation of this Part continues shall constitute a separate offense.

(Ord. 2011-01, 2/1/2011)

ADOPTED, by the Borough Council of Yoe Borough, York County, Pennsylvania, at a public meeting this 5th day of January, 2021, at which a quorum was present.

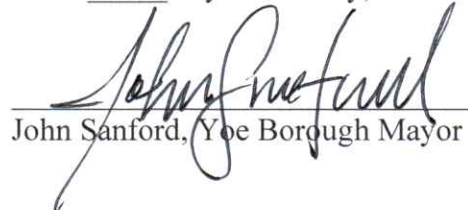
YOE BOROUGH COUNCIL


Attested by: Diana Dvorak, Yoe
Borough Secretary/Treasurer


Samuel Snyder, Yoe Borough Council
President

{SEAL}

APPROVED/DISAPPROVED this _____ day of January, 2021.


John Sanford, Yoe Borough Mayor