



ORDINANCE 2021-1

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR USE OF THE TOWN'S SKATEBOARD FACILITIES

WHEREAS the Town of Williamston contemplates the construction of a skateboarding facility as a part of the Town's recreation programs;

WHEREAS Article 3 of Chapter 99E of the General Statutes of North Carolina entitled "Hazardous Recreation Parks Safety and Liability" encourages governmental owners to make such a facility available;

AND WHEREAS the Town desires to establish rules and regulations governing the use of such facility upon its construction;

BE IT THEREFORE ORDAINED by the Board of Commissioners of the Town of Williamston as follows:

Section 1. Definitions.

- (A) Hazardous recreational activity. Skateboarding, inline skating, or freestyle bicycling.
- (B) Inherent risk. Those dangers or conditions that are characteristic of, intrinsic to, or an integral part of skateboarding, inline skating, and freestyle bicycling.
- (C) Skateboard park. A facility established on Town-owned property which is designed for the purpose of engaging in hazardous recreational activities, and which is specifically designated by the Town for such use.

Section 2. Responsibilities of Users.

- (A) All users of a skateboard park shall wear a helmet, elbow pads, and kneepads at all times while engaging in hazardous recreational activities.
- (B) Any person who observes, participates in or assists in hazardous recreational activities assumes the known and unknown inherent risks in these activities, irrespective of age, and is legally responsible for all damages, injury, or death to himself or herself or other persons or property that results from these activities.
- (C) While engaged in hazardous recreational activities, irrespective of where such activities occur, a participant is responsible for doing all of the following:
 - (i) Acting within the limits of his or her ability and the purpose and design of the equipment used.
 - (ii) Maintaining control of his or her person and equipment used.
 - (iii) Refraining from acting in any manner that may cause or contribute to death or injury of himself or herself or other persons or property.
 - (iv) Failure to comply with the requirements of this Section 2 shall constitute negligence, as provided in North Carolina General Statute 99E-24(c).



Section 3. Notice.

The Town shall post signage at its skateboard park, affording reasonable notice to all users, as follows:

- (A) Any person engaged in a hazardous recreational activity at the skateboard park must wear a helmet, elbow pads, and kneepads at all times;
- (B) The Town does not provide regular supervision of the skateboard park;
- (C) Users of the skateboard park assume all risks associated with the use of the skateboard park; and
- (D) Failure to comply with these requirements for use may subject the violator to sanctions as provided in this Ordinance.

Section 4. Sanctions.

In addition to any other penalties provided for in the Code of Ordinances for the Town of Williamston, any person who violates the provisions of this Ordinance may be subject to sanctions imposed by the Town, through its Recreation Department, including, but not limited to, suspension or permanent revocation of the privilege to use the skateboard park and assessment for the full costs of any damage to the skateboard park caused by the person.

Section 5. Town immune from liability.

The Town of Williamston, including its officials, employees, and agents, shall not be liable to any person who voluntarily participates in hazardous recreational activities for any damage or injury to property or persons that arises out of the person's participation in the activity and that takes place at a skateboard park.

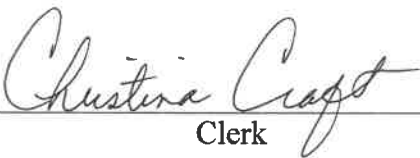
Section 6. Hours of Operation.

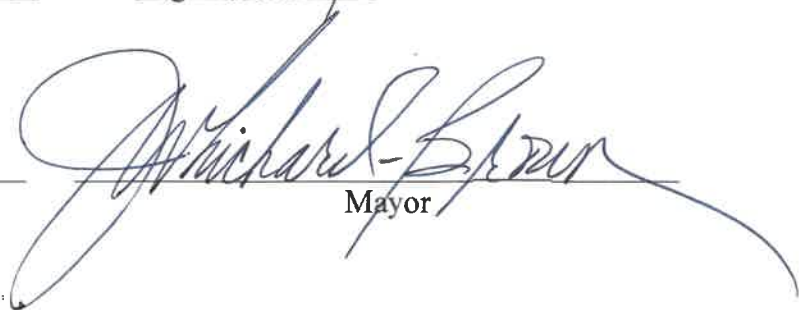
It shall be unlawful for any person to be present on the premises of the Town's skateboard park and recreation facility outside of the posted normal hours of operation, except for Town employees conducting Town business thereon and for emergency and law enforcement personnel on official business.

Section 7. Effective Date

This Ordinance shall be effective upon the completion and official opening of a skateboard park and the posting of the signage required by this Ordinance.

Adopted this the 21st day of February, 2021.


Clerk


Mayor