Failed: 4 - 4
Ayes: Cole, Mayer, Service, Sherman
Nays: Pierce, Sabbagh, Banach, Young
Pizzo absent

ORDINANCE 98-13

TO AMEND TITLE 15 OF THE BLOOMINGTON MUNICIPAL CODE ENTITLED "VEHICLES AND TRAFFIC"
(Allowing the Use of Skateboards in the Downtown Area)

WHEREAS, when the Common Council adopted Ordinance 90-42, which banned the use of skateboards in the downtown area, it established the Maplefoot Skateboard Park in order to offer a place for skateboarders use their boards; and

WHEREAS, while skateboarding continues to be a popular and healthful form of exercise and sport, the City no longer maintains a place like Maplefoot Skateboard Park where skateboarders may use their boards; and

WHEREAS, the enforcement of this ordinance creates an unnecessary confrontational relationship between officers of the police department and young people; and

WHEREAS, although damage to property and inconvenience to pedestrians is a concern, they are not of the same magnitude as is regularly accepted as a result of automobile use;

NOW THEREFORE, BE IT HEREBY ORDAINED BY THE COMMON COUNCIL OF THE CITY OF BLOOMINGTON, MONROE COUNTY, INDIANA, THAT:

SECTION 1. Section 15.56.025 of the Bloomington Municipal Code entitled "Prohibition of coasters, skateboards and roller skates" shall be amended by removing certain text found in Part (b) of the section. The preface to Part (b) states that "Operating a skateboard in the following locations is hereby declared a public nuisance and is therefore prohibited." and is followed, in part, by the following locations, which shall be deleted by this ordinance:

STREETS:

Kirkwood Avenue (Fifth Street) from Indiana Avenue to College Avenue.

Sixth Street from Walnut Street to College Avenue.

Walnut Street from Third Street to Seventh Street.

College Avenue from Third Street to Seventh Street.

SECTION 2. Severability. If any section, sentence, or provision of this ordinance, or the application thereof to any person or circumstances shall be declared invalid, such invalidity shall not affect any of the other sections, sentences, provisions, or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 3. This ordinance shall be in full force and effect from and after its passage by the Common Council of the City of Bloomington and approval of the Mayor.

PASSED and ADOPTED by the Common Council of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 1998.

_____
TIMOTHY MAYER, President
Bloomington Common Council

FAILED

ATTEST:

_____
PATRICIA WILLIAMS, Clerk
City of Bloomington

PRESENTED by me to the Mayor of the City of Bloomington, Monroe County, Indiana, upon this ____ day of _____, 1998.

_____
PATRICIA WILLIAMS, Clerk
City of Bloomington

SIGNED and APPROVED by me upon this ___ day of _____, 1998.

_____
JOHN FERNANDEZ, Mayor
City of Bloomington

FAILED

SYNOPSIS

This ordinance is sponsored by Pam Service and amends Section 15.56.025 of the BMC by removing a provision which prohibits the use of skateboards in the downtown area.