

**A RESOLUTION TO ENACT AN ORDINANCE PROHIBITING
SKATEBOARDING ON
PUBLIC STREETS AND ROADS IN POLK COUNTY**

WHEREAS, Polk County, North Carolina is located in the foothills of the Blue Ridge Mountains of western North Carolina and enjoys scenic byways offering slow-paced and relaxing drives with stunning long-range vistas and close-up views of the mountains and pastoral landscapes; and

WHEREAS, as a result of mountainous terrain in the County, public roadways are often constructed in whole or in part on steep slopes using switch backs and zigzag sections of roadway; and

WHEREAS, these roadways in Polk County are attractive to highspeed skateboarders and present serious concerns with respect to public safety, damage to public and private property as well as liability occasioned as a result of the exercise of this recreational activity; and

WHEREAS, S.L. 2023-20, authorizes Polk County to prohibit or restrict the use of skateboards on any public street or road within the county; and

WHEREAS, the Polk County Board of Commissioners hereby finds and determines that it is in the best interest of the citizens and residents of Polk County to enact this Ordinance prohibiting skateboarding on all public streets and roads within the unincorporated area of Polk County.

NOW, THEREFORE, BE IT ORDAINED AND RESOLVED by the Board of Commissioners (the “Board”) for the County of Polk, North Carolina (the “County”) the following is hereby adopted as the Polk County Skateboarding Ordinance:

Section 1. Prohibition against skateboarding.

It shall be unlawful for any person to operate a skateboard on any public street or road within the unincorporated area of the County.

Section 2. Skateboard definition.

For purposes of this Ordinance, the term “Skateboard” includes the following devices:

Skateboard: A footboard mounted upon four or more wheels propelled by the user who sometimes stands, kneels, sits, or lays upon the device while it is in motion;

Roller skates or Roller blades: A pair of shoes, mounted upon sets of wheels most often propelled by the user in an upright, standing or crouching position; and

Coasters or Scooters: A footboard mounted upon two or more wheels and by an upright steering handle. This devise is propelled by the user or a motor and us usually operated in an upright position.

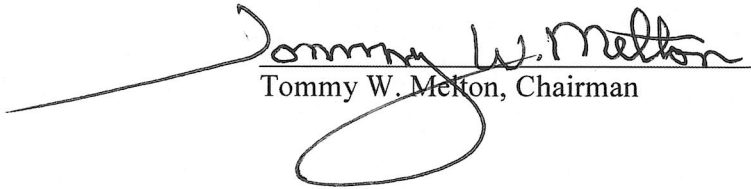
The term "skateboard" does not include devices operated or used by handicapped or disabled persons, such as wheelchairs.

Section 3. Penalty.

Any person who violates this Ordinance shall be guilty of a Class 3 misdemeanor and shall be fined not more than five hundred (\$500.00) or imprisoned for not more than 30 days.

Approved this the 16th day of October, 2023.

POLK COUNTY BOARD
OF COMMISSIONERS


Tommy W. Melton, Chairman

ATTEST:



Kristy Tipton
Clerk to the Board of Commissioners