

CITY OF PORT MOODY

BYLAW NO. 2531

A BYLAW GOVERNING THE WEARING OF HELMETS IN THE SKATEBOARD PARK.

WHEREAS Section 532 of the *Local Government Act* R.S.B.C. 1996, c.323 provides that Council may by Bylaw, regulate all uses of or involving a public place:

AND WHEREAS it is deemed necessary to mandate the use of helmets by users of the City's skateboard park;

NOW THEREFORE Port Moody Council hereby enacts as follows:

1. TITLE

This Bylaw may be cited as "City of Port Moody Mandatory Skateboard Park Helmet Bylaw", No. 2531.

2. DEFINITIONS

2.1 "Skateboard Park " shall be defined as the structure designed and built for use by skateboarders on Lots 23, 24 & 26, Block 2, District Lot 201, Plan 72, known as PoMo Sk8 Park.

2.2 "Helmet" shall be defined as protective headgear complying with the Snell Memorial Foundation standard N-94 (1994 Standard for Protective Headgear for use in non-motorized sports), as amended from time to time.

3. OFFENCES

3.1 A person commits an offence if that person uses the skateboard park with a skateboard, in-line skates, scooters, bicycle or any other wheeled device and is not properly wearing a helmet, that meets the following standards and specifications:

- a) have a smooth surface;
- b) be constructed so that the helmet is capable of absorbing energy on impact;
- c) be strongly attached to a strap designed to be fastened under the chin of the person wearing it;
- d) be undamaged from use or misuse, and
- e) have a label showing compliance with Snell Foundation Standard N-94 (1994 Standard for Protective Headgear for use in non-motorized sports).

4. A parent or guardian of a person under the age of 16 years commits an offence if the parent or guardian authorizes or knowingly permits the person to use the skateboard park if that person is not properly wearing a helmet.
5. The following persons are exempt from the requirement to wear a helmet:
 - a) a person for whom the wearing of a helmet would interfere with an essential religious practice;
 - b) a person who is in possession of, and produces on request to a peace officer, a valid and subsisting certificate issued by a medical practitioner certifying that the person is for the period stated in the certificate, unable for medical reasons to wear a helmet.

6. PENALTIES

- 6.1 Every person who offends against any of the provisions of this Bylaw, or who suffers or permits any act or thing to be done in contravention of, or in violation of, any of the provisions of this Bylaw, or who neglects to do, or refrains from doing, anything required to be done by any of the provisions of this Bylaw, or who does any act or thing which violates any of the provisions of this Bylaw, shall be deemed to be guilty of an infraction of this Bylaw, and shall be liable to penalties hereby imposed.
- 6.2 A person who is convicted of an offence is liable to a fine of not more than one hundred dollars.

7. SEVERABILITY

If any Section, Subsection, clause or phrase of this Bylaw is for any reason held to be invalid by the decision of a Court of competent jurisdiction, the invalid portion shall be severed and the decision that it is invalid shall not affect the validity of the remainder.

READ FOR A FIRST TIME the 8th of October, 2002.

READ FOR A SECOND TIME the 8th of October, 2002.

READ FOR A THIRD TIME the 8th of October, 2002.

ADOPTED the 22nd day of October, 2002.

MAYOR

CITY CLERK