

Order 34-07/08

Given first reading on 8/6/07

Public Hearing & Passage 8/20/07 9-0

NICHOLAS M. MAVODONES (MAYOR)  
KEVIN J. DONOGHUE (1)  
DAVID A. MARSHALL (2)  
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**CITY OF PORTLAND**  
IN THE CITY COUNCIL

JAMES I. COHEN (5)  
JAMES F. CLOUTIER (A/L)  
JILL C. DUSON (A/L)  
EDWARD J. SUSLOVIC (A/L)

**AMENDMENT TO PORTLAND CITY CODE  
CHAPTER 25 (STREETS, SIDEWALKS AND PUBLIC PLACES)  
SECTION 18 (PLAYING PROHIBITED)**

**RE: SKATEBOARDING AND SKATING ON PUBLIC PROPERTY**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND,  
MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:**

*That Section 25-18 of the Portland City Code is hereby  
amended as follows:*

**Sec. 25-18. ~~Playing prohibited~~ Ball Playing.**

~~No person shall engage in any sport on or upon any of the streets, ways and public places of the city, nor shall any person skate, skateboard, rollerskate or slide on any of the streets, ways and public places, except as otherwise provided by order of the city council or as provided herein for ball playing.~~

Ball playing shall be permitted on streets only in accordance with all of the following regulations:

- (a) Ball playing shall be limited to local streets, as defined below, and shall be prohibited on all other streets.
- (b) Ball players shall be required to yield the right-of-way to vehicular traffic.
- (c) No permanent structures shall be located in the right-of-way for the purposes of any type of ball playing. Temporary structures may be utilized, provided that they do not impede vehicular movement and that they have reflectors or reflective tape placed upon them. Any temporary structure for the purpose of ball playing shall be immediately removed

upon the order of the police department or the public works authority, and shall be removed from the right-of-way, without prior order, during any snowstorm or other type of storm that impacts use of the street. For purposes of this section, a temporary structure shall be one that does not have a concrete foundation or any other type of foundation that adheres to or requires attachment to a roadway, sidewalk, or esplanade area. A temporary foundation is one that consists of sand, water, or some other type of weight system directly attached to the structure. The owner of a temporary structure shall provide to the police department and the public works authority a written statement identifying the owners of the structure, a telephone number at which they can be reached in the event of a problem with the structure, the street and mailing address of the owners, and the approximate street location of the temporary structure.

For purposes of this section, a local street is one that:

1. Is located in a residential zone;
2. Is not part of a bus route;
3. Is not more than two (2) traffic lanes in width;
4. Has a speed limit of twenty-five (25) miles per hour or less.