

*Town of Middletown, DE  
Tuesday, October 24, 2017*

## Chapter 103. Recreational Equipment

### § 103-1. Placement on roadways and sidewalks restricted.

It shall be unlawful for any person to place, store, or keep upon any street or public sidewalk any portable, stationary, or fixed object, including, but not limited to, basketball poles, hoops or nets, skateboard ramps, and/or any other type of object, device, or piece of recreational equipment. It is allowable to place the portable basketball net on the grass area between the curb and the sidewalk. At night or when the basketball net is not in use, it must be swung around so as not to protrude over the public portion of the roadway.

### § 103-2. Maintenance required.

It shall also be unlawful for any person to allow any portion of the portable, stationary, or fixed object, including, but not limited to, basketball poles, hoops, nets, skateboard ramps, and/or any other type of object, device, or piece of recreational equipment, to be in a state of disrepair not consistent with the manner in which it was manufactured.

### § 103-3. Definitions.

For purposes of this chapter, the definition of "any street" shall be the paved surface upon which the public may engage in vehicular travel and includes any portion of that paved surface between opposing curblines or edges of the paved surface. The definition of "sidewalk" shall include any paved, brick, or concrete surface specifically designed for pedestrian travel.

### § 103-4. Violations and penalties.

Any person who violates § **103-1** or **103-2** of this chapter is subject to a fine of \$50 for the first offense and \$100 for each subsequent offense. The Town of Middletown is hereby authorized to remove any such device or object left in violation of § **103-1** or **103-2** of this chapter.

### § 103-5. Liability for violations.

The owner or resident of the property upon which any such device or object is left in violation of § **103-1** or **103-2** of this chapter shall be deemed the owner of such item for purposes of enforcing this chapter.