

**AN ORDINANCE OF THE CITY OF FOREST, MISSISSIPPI TO INCLUDE WITHIN THE CODE OF ORDINANCES OF THE CITY OF FOREST, BY PROVIDING FOR A HELMET ORDINANCE AND PROVIDING AN EFFECTIVE DATE.**

***BE IT ORDAINED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF FOREST, MISSISSIPPI:***

That the existing Ordinances of the City of Forest, Mississippi be subject to the adoption of this ordinance entitled "Helmet Ordinance", which reads as follows:

## HELMET ORDINANCE

The City of Forest does hereby ordain as follows:

- A. This ordinance is enacted as an exercise of the authority of the City of Forest to protect and preserve the public health, safety and welfare. Its provisions shall be liberally construed for the accomplishment of these purposes.
- B. It is the express purpose of this ordinance to provide for and to promote the health, safety and welfare of the general public, and not to create or otherwise establish or designate any particular class or group of persons who will or should be especially protected or benefitted by the terms of this ordinance.
- C. It is the specific intent of this ordinance to place the obligation of complying with its requirements upon any person included within its scope, and not provision of, or term used in, this ordinance is intended to impose any duty whatsoever upon the City of Forest or any of its officers or employees for whom the implementation or enforcement of this ordinance shall be discretionary and not mandatory.
- D. Nothing contained in this ordinance is intended to be, nor shall be construed to create or to form the basis for, a liability on the part of the City of Forest or its officers, employees or agents, for any injury or damage resulting from the failure of any person subject to this ordinance to comply with this ordinance, or by reason or in consequence of any act or omission in connection with the implementation or enforcement of this ordinance on the part of the City of Forest by its officers, employees or agents.
- E. Any person riding any bicycle, electric assisted bicycle, electric personal assistive mobility device, in-line skates, roller skate(s), roller blade(s), skate shoe(s), motorized foot scooter, scooter or skateboard, hoverboard including any passenger thereon and/or person being towed thereby, on any public area in the City shall wear an approved helmet, and shall have either the neck or chin strap of the helmet fastened securely while the device is in motion.
- F. Any person operating or riding on any all-terrain vehicle, on any public area in the City shall wear a crash helmet that complies with minimum guidelines established by the National Highway Traffic Safety Administration pursuant to the federal Motor Vehicle Safety Standard No. 218 (49 CFR 571.218) for helmets designed for use by motorcyclists.

ORDAINED, this the 6<sup>th</sup> day of June, 2017.

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/s/NANCY N. CHAMBERS, MAYOR

ATTEST:

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/s/FAYE JOHNSTON, CITY CLERK