

APPROVED
BY THE CITY COUNCIL

MAY 25 1999

OFFICE OF THE
CITY CLERK



1.21

NEIGHBORHOOD SERVICES
DEPARTMENT

CITY OF SACRAMENTO
CALIFORNIA

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May 11, 1999

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: PARK FACILITY SAFETY INSPECTION POLICY AND PROGRAM

LOCATION AND COUNCIL DISTRICT: Citywide

RECOMMENDATION: That the City Council adopt a resolution establishing a Park Facility Safety Policy.

CONTACT PERSON: David Spease, Associate Landscape Architect, 264-5125

FOR COUNCIL MEETING OF: May 25, 1999

SUMMARY:

This report provides information regarding the development of *Safety Regulations for Playgrounds (R-39-97)* by the California Department of Health Services and its impacts on the City Parks System. This report also recommends that the City adopt by resolution, a Park Facility Safety Policy and authorize the Neighborhoods Planning and Development Services Department to develop a Safety Program to implement the requirements of the *Safety Regulations for Playgrounds (R-39-97)*

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COMMITTEE/COMMISSION ACTION

This issue was presented to the Citizens Advisory Committee for Parks and Recreation on May 6, 1999. The Committee voted unanimously to support staff's recommendation to adopt a resolution estblishing a Park Facility Safety Program and develop a Park Facility Safety Program in compliance with the requirements of the pending Department of Health Services - Safety Regulations for Playgrounds (R-39-97).

BACKGROUND INFORMATION:

In 1992, Senate Bill **SB 2733 Rosenthal** was passed requiring all public play areas be upgraded to satisfy the requirements of the consumer Products Safety Commission on or before January 1, 2000. The City of Sacramento has been a leader in the efforts to develop and maintain a safe play environment for the children of Sacramento. In 1996 The City issued bonds to be paid from Landscaping and Lighting Fund revenues to replace or upgrade all of the existing play areas in the system. Approximately 70% of the City's play areas have been brought up to current safety code. The remaining play areas are scheduled to be approved as part of the FY99-00 CIP Budget. The City will be one of the first cities to develop a comprehensive program based on this legislation to address the safety of our park system

The term playground as used in these regulations includes any improved outdoor recreation area set aside for children's play, not just the play equipment. This includes, internal paths, surfacing, fences, signs and related structures , not just play equipment. In reality this is a Parks Safety Program.

SB 2733 Rosenthal, codified as Section 115725 et seq. of the Health and Safety Code, directed the California Department of Health Services to develop and adopt regulations that establish criteria for the design, installation, inspection, maintenance and supervision of playgrounds, and the training of personnel who are involved in the design, installation and maintenance of playgrounds open to the public.

The California Health Services Department has recently completed the Safety Regulations for Playgrounds (R-39-97) and held public hearings throughout the State to receive input on the regulations. David Spease, Associate Landscape Architect made a presentation in support of the

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regulations on behalf of City at the hearing held in Sacramento on November 4, 1998. The regulations require that any entity which operates a playground open to the public shall have an initial inspection of each playground by a Certified Playground Safety inspector by October 1, 1999. The City of Sacramento currently has approximately 150 play areas that will need to have their initial audit completed by the October 1st deadline.

A schedule of the audits will be one of the first items addressed under the program. A report on the results of the original audit will be provided shortly after the October deadline.

A Certified Playground Safety Inspector is an individual that possesses a current Certified Playground Safety Inspector certificate issued by the National Playground Safety Institute (c/o National Parks and Recreation Association).

There are currently approximately 400 Certified Safety Inspectors in the State of California. This is a relatively small number because these regulations apply to any playground open to the public including a church, subdivision, hotel, motel, resort, camp, office, hospital, shopping center, day care or restaurant in addition to any public agency including city, county, school district, and any other district. David Spease, Associate Landscape Architect is a Certified Safety Inspector. He will be developing the Park Facility Safety Program, administering the inspection program, reviewing plans and training the appropriate staff. The Neighborhoods Planning and Development Services Department anticipates 7 Park Maintenance Staff and 2 Park Enforcement Staff from the Recreation Division will be attending the California Recreation and Parks Society sponsored training seminar and certification exam that will be given in Sacramento June 28th to 30th. The Park Enforcement staff are not expected to perform Facility Safety Inspections, they normally respond to enforcement issues, but they are frequently on site first and need to be familiar with the requirements.

The National Recreation and Parks Association has developed a model program for auditing and inspecting play areas. California's regulation is based on that model. The recommended Playground Safety Program recommends that the City Adopt a Playground Safety Policy, Develop a playground Inventory, establish an inspection program, establish maintenance priorities and procedures, and develop staff training. The City program will be closely modeled after this program and will be expanded to include all park facilities. Each playground will be audited by a Certified Safety inspector at the time of installation or whenever major remodeling is done. Each play area will be thoroughly inspected annually and a program of routine inspections will be developed as part of the program.

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Attached is the proposed City of Sacramento Park Facility Safety Policy based on the recommendation of the National Recreation and Parks Association. (A)

FINANCIAL CONSIDERATIONS:

The California Department of Health Services fiscal impact estimate for implementation of the regulation indicates an initial cost for an inspection is \$400 each. The City of Sacramento currently has 81 sites that contain play equipment. Many of these sites have two play areas, one for children from 2 to 5 years old and one for children 6 to 12 years old. The total cost of a one time inspection based on this estimate is \$60,000. These cost are based on the use of consultants to perform the audits and would be considerably less with Certified Safety Inspectors on staff.

The Department of Health Services does not estimate the cost of routine maintenance because those cost are currently incurred by playground operators and any additional cost for compliance are not considered to be significant. They estimate that annual maintenance cost would be between \$1,000 and \$10,000 per site however the maintenance cost do not directly result from the regulations and are currently incurred by the operators of the facilities.

ENVIRONMENTAL CONSIDERATIONS:

There are no environmental impacts involved with this project.

POLICY CONSIDERATIONS:

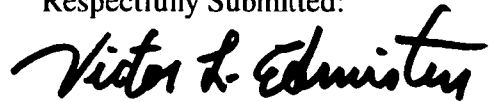
This report recommends that the City Council by resolution adopt a Park Facility Safety Policy and establish a Park Facility Safety program to comply with the requirements of the *California Department of health Services - Safety Regulations for Playgrounds (R-39-97)*.

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ESBD CONSIDERATIONS:

No goods or services are being purchased under this report.

Respectfully Submitted:



VICTOR L. EDMISTEN

Parks and Recreation Manager

APPROVED:



GARY L. LITTLE

Area 4 Director

RECOMMENDATION APPROVED:



ROBERT P. THOMAS

City Manager

Attachments

APPROVED
BY THE CITY COUNCIL

MAY 25 1999

RESOLUTION 99-260

OFFICE OF THE
CITY CLERK

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

RESOLUTION TO ADOPT A PARK FACILITY SAFETY POLICY AND AUTHORIZE THE NEIGHBORHOODS PLANNING AND DEVELOPMENT DEPARTMENT TO DEVELOP A PARK SAFETY PROGRAM

WHEREAS, the California Department of Health Services is currently proposing to adopt *Safety Regulations for Playgrounds (R-39-97)* which requires all government and private entities which operate playgrounds open to the public to have all of their playgrounds inspected by a Certified Playground Safety Inspector, certified by the National Recreation and Parks Association.

WHEREAS, the National Recreation and Parks Association recommends the adoption of a Safety Policy and the development of a Safety Inspection Program.

WHEREAS, the term playground as defined by the California Department of Safety includes all outdoor recreation areas set aside for children's play, not just the play equipment.

WHEREAS, all park facilities, not just those set aside for children, need to be inspected for safety on a regular basis.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

1. The Council hereby adopts the Park Facility Safety Policy based on the recommendations of the National Recreation and Parks Association.
2. The Council authorizes the Neighborhoods Planning and Development Services Department to develop a Park Facilities Safety Program in compliance with the soon to be adopted *Safety Regulations for Playgrounds (R-39-97)*.

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____

City of Sacramento Park Facility Safety Policy

In the continuing effort by the City of Sacramento to provide quality, well maintained, clean and safe parks and facilities, The City of Sacramento has developed the following standard operating procedures to protect and preserve its unsupervised play areas, park facilities and its users. This objective may only be accomplished through a commitment to a Park Facility Safety Program that assures that every reasonable attempt will be made to eliminate hazards while not totally eliminating the element of risk which is an essential part of any successful park activity, especially children's play and learning environments.

To guarantee the continuing success of this program, the following guidelines will be adhered to by all City of Sacramento staff:

- All park areas will be subject to the Park Facility Safety Program
- All equipment shall be purchased from a equipment manufacturer with adequate product liability insurance.
- All equipment shall be installed according to manufacturers specifications and shall meet current industry safety standards.
- The City of Sacramento shall provide reasonable resources to ensure prudent and timely inspections and repairs as determined necessary by the Park Facility Safety Program.
- All equipment shall be inspected, repaired and maintained on a regular basis with the necessary documentation.
- All Landscape Architects, installers, inspectors and maintenance employees shall be trained in accordance with the Park Facility Safety Program.