



Parks and Recreation Commission
August 2, 2007

AGENDA ITEM 11

DEPARTMENT OF
PARKS AND RECREATION

CITY OF SACRAMENTO
CALIFORNIA

915 I STREET, 5TH FLOOR
SACRAMENTO, CA
95814

(916) 808-8234
FAX (916) 808-7643

August 17, 2007

Parks and Recreation Commission
Sacramento, California

Honorable Members in Session:

**SUBJECT: TOT LOT ORDINANCE REVISIONS TO RESTRICT USE OF
PLAYGROUNDS TO CHILDREN AND THOSE ENGAGED IN THE
CARE, CUSTODY, AND SUPERVISION OF CHILDREN**

LOCATION AND COUNCIL DISTRICT: Citywide, All Council Districts

RECOMMENDATION: Receive and File

Staff is recommending to the Mayor and City Council the revision (Exhibit A) of current city code sections 12.72.010 and 12.72.060(l) of Title 12 of the Sacramento City Code relating to the use of playgrounds to restrict use of playgrounds to children within the age groups for whom the playgrounds were designed.

CONTACT PERSON: Alan Tomiyama, Division Manager, Community Recreation Services, 808-8958.

FOR MEETING DATE OF: September 6, 2007

SUMMARY:

City Councilmember Sandy Sheedy requested that staff prepare an ordinance to amend the City Code to restrict use of playgrounds to children within the age groups for whom the playgrounds were designed and their caretakers. Currently, there is nothing in the Sacramento City Code to prevent older children from playing on equipment designed for children between the ages of two and twelve.

Improper use of public recreational facilities designed for specific intended uses, such as playgrounds, causes excessive damage to these facilities and hinders those who wish to use the facilities for their intended use. Restricting use of playgrounds to children within the age groups for whom the playgrounds were designed and their caretakers will result in safer play experience.

The purpose of this ordinance is to restrict the use of City of Sacramento playgrounds to children within the age groups for whom the playgrounds were designed and their caretakers. Preschool and school-age children differ dramatically, not only in physical size and ability, but also in their cognitive and social skills. Therefore, age-appropriate playground design should accommodate these differences with regard to the type, scale, and the layout of equipment. Tot Lots are designed to meet the physical and developmental needs of children between the ages of two to five. Adventure Play areas are designed to meet the physical and developmental needs of children between the ages of five to twelve.

The proposed amendment of the City Code is consistent with the playground usage guidelines recommended by the Handbook for Public Playground Safety produced by the United States Consumer Products Safety Commission. (Health and Safety Code, § 115725), and the City of Sacramento, Parks and Recreation Park Design Guidelines to ensure the safety and well being of children using the playground equipment.

BACKGROUND INFORMATION:

State Law requires that playground operators, including state, city, and county agencies, impose guidelines for the use of playgrounds that are "at least as protective as the guidelines in the Handbook for Public Playground Safety produced by the United States Consumer Products Safety Commission." (Health & Safety Code, §115725.) The federal publication also states: "It is recommended that for younger children, playgrounds have separate areas with appropriately sized equipment and materials to serve their developmental levels." (U. S. Consumer Product Safety Com., Handbook for Public Playground Safety, Pub. No 325 (1997), § 6.3, p. 8.)

The City of Sacramento Department of Parks and Recreation Landscape Architecture section Park Playground Guideline booklet states that "playground equipment and design shall meet current U.S. Consumer Product Safety Commission (CPSC) guidelines and standards as set forth in the Handbook for Public Playground Safety."

There are 58 Tot Lots and 97 Adventure Play areas in City parks. Currently, there is nothing in the Sacramento City Code to prevent older children from playing on equipment designed for children between the ages of two and twelve. Improper use of playground equipment causes damage to the equipment and hinders use of the equipment by those for whom it was designed.

Improper use of public recreational facilities designed for specific intended uses, such as playgrounds, causes excessive damage to these facilities and hinders those who wish to use the facilities for their intended use. Restricting use of playgrounds to children within the age groups for whom the playgrounds were designed and their caretakers will result in safer play experience.

FINANCIAL CONSIDERATIONS:

The recommended amendment of the City Code may result in one-time costs depending on the number of parks requiring new signage. There are 58 Tot Lots and 97 Adventure Play areas in City of Sacramento parks. Some playground equipment comes with pre-existing signage that indicates the age range that the equipment was designed for. If new signage is required, the cost to fabricate and install the signs will come from the Park Operations Division budget. Staff has estimated signage may cost up to \$31,000. In addition to the initial installation costs there will be ongoing costs associated with repair and replacement of signs, and these costs will also be covered by existing resources in the Park Operations Division budget.

ENVIRONMENTAL CONSIDERATIONS: Not applicable.

POLICY CONSIDERATIONS:

Currently there are no mechanisms in place to ensure that only children of appropriate age use the City's Tot Lots, which are designed for children two to five years old and/or the City's Adventure Play areas, which are designed for children five to twelve years old.

The City of Sacramento has exclusive jurisdiction over the management and control of its parks and may enact and enforce such regulations and rules that are necessary or appropriate to promote park purposes and to ensure the public's health, safety and welfare in the usage of its parks.

ESBD CONSIDERATIONS: Not applicable.

Respectfully submitted,



Alan Tomiyama
Division Manager
Community Recreation Services

Attachments (1):

Exhibit A: Tot Lot Ordinance Revisions

Exhibit A

CITY OF SACRAMENTO
DEPARTMENT OF PARKS AND RECREATION
TOT LOT ORDINANCE REVISIONS

Background:

The purpose of this ordinance is to restrict the use of City of Sacramento playgrounds to children within the age groups for whom the playgrounds were designed and their caretakers. Preschool and school-age children differ dramatically, not only in physical size and ability, but also in their cognitive and social skills. Therefore, age-appropriate playground design should accommodate these differences with regard to the type, scale, and the layout of equipment. Tot Lots are designed to meet the physical and developmental needs of children between the ages of two to five. Adventure Play areas are designed to meet the physical and developmental needs of children between the ages of five to twelve.

The proposed amendment of the City Code is consistent with the playground usage guidelines recommended by the Handbook for Public Playground Safety produced by the United States Consumer Products Safety Commission. (Health and Safety Code, § 115725), and the City of Sacramento, Parks and Recreation Park Design Guidelines to ensure the safety and well being of children using the playground equipment.

Ordinance Revisions:

Current definitions and park use regulations within the current ordinance are to be changed or added as follows:

SECTION 2.

Section 12.72.010 of Title 12 of the Sacramento City Code is amended to read as follows:

"Child" and "children" means an individual or individuals who are under thirteen years of age.

Deleted: "Children's playground area" means and includes park areas which are specifically designed and include equipment and structures for use by children.

"Playground" means an improved outdoor area designed, equipped, and set aside for children's play that is not intended for use as an athletic playing field or athletic court, and shall include all playground equipment, surfacing, fencing, signs, internal pathways, internal land forms, vegetation, and related structures. Where the playground is not contained by a fence, the boundary of the playground shall be defined by the edge of the resilient surface of safety material, such as concrete or wood, or any other material surrounding the playground.

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"Playground equipment" means a fabricated structure intended primarily for play by children located at a playground, which structure has at least one surface designated and intended for play by children and that is anchored to or built into the ground.

"Toddler" and "Toddlers" means an individual or individuals who are under six years of age.

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"Tot Lot" means a playground designed, equipped, and set aside for toddlers.

SECTION 3. (Park Use Regulations)

Section 12.72.060 of Title 12 of the Sacramento City Code is amended to read as follows:

No person shall:

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1. Enter or remain in a children's playground unless such person is either (i) a child or (ii) engaged in the care, custody or supervision of a child who is using the playground;

Deleted: No person eighteen (18) years or older shall remain in or enter a children's playground area unless actually engaged in the care, custody or supervision of a person younger than eighteen (18) years of age who is using the facilities in the area;

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2. Enter or remain in a tot lot unless such person is either (i) a toddler or (ii) engaged in the care, custody or supervision of a toddler who is using the tot lot;