REDUCING THE EXPOSURE OF OPERATING SKATEBOARDING AND IN-LINE SKATING FACILITIES: A MANAGEMENT BRIEF

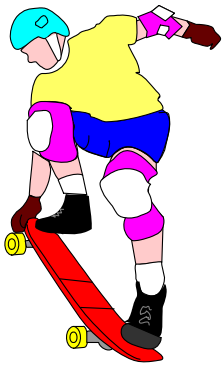
OVERVIEW

Many municipalities are exploring the possibility of establishing controlled environments in which individuals can skateboard and in-line skate. The liability risks associated with allowing individuals to use public sidewalks and streets include personal injury claims and claims that the entity has not properly maintained sidewalks. Additionally, skateboarders and in-line skaters might injure other citizens. Citizens might also complain of harassment by skateboarders and in-line skaters, thus creating poor publicity for the community.

A controlled environment has the advantage of reducing the liability risks associated with skateboarders and in-line skaters who use community streets and sidewalks. However, there are other risks associated with operating a skating facility. The potential for serious injury to both participants and spectators exists, especially if the community has not taken appropriate measures to:

- Assure the physical safety and integrity of the facility;
- Train facility personnel;
- Establish and communicate safety rules to participants and spectators; and
- To provide appropriate safety and health supplies and equipment in the event of an emergency.

GUIDELINES FOR REDUCING YOUR EXPOSURE



The Facility

The design and layout of the skateboard and in-line skating park are important. The park might have:

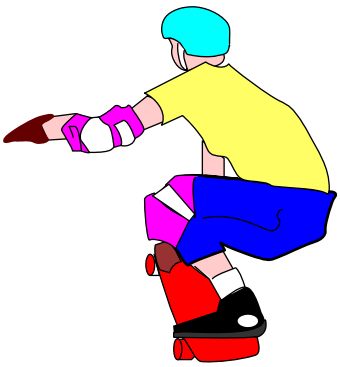
- A flat area for freestyle skating,
- A slalom course,
- A bowl,
- A ramp,
- A vertical wall,
- A full and half pipe, and
- Dunes and valleys.

The park may resemble an in-ground pool or be set up with “street obstacles”. Configurations may be constructed of concrete, plywood or connected sections of molded fiberglass, Plexiglas or polycarbonate (plastic), braced with wood or metal. Generally, the facility will also have a building or buildings housing a pro shop, equipment rental and repair shop, refreshment concession, ticket booth and, perhaps, an amusement machine area.

- The design of the park’s layout and obstacles should meet or exceed the best practices currently in place in the industry.
- Perimeter fencing and a locking gate should secure the park to prevent unauthorized access and to protect observers.
- A licensed architect or engineer should approve all obstacle design plans.
- Park staff should inspect the runs and obstacles daily for damage. Staff should document all repairs.
- A distance of 20 feet should separate obstacles, runs and fences to allow for participant recovery and protection.

The Obstacles

- Obstacles and runs should be free of sharp edges.
- “Temporary” obstacles should be secure and stable to prevent shifting while they are in use.
- Obstacles and ramps constructed of wood should use pressure treated materials and be built over a space sufficiently deep to allow the wood to breathe.
- Wood structures require more frequent and vigilant inspection to assure there are no nails or screws protruding that could injure a participant.



Participants and Spectators

Park staff should:

- Keep observers behind the perimeter fencing to protect them from flying skateboards.
- Control the number of participants on each run and obstacle to prevent participants from colliding.

The design of the facility should assure that:

- Platforms over three feet high intended for standing or recovery have standard hand rails with midrails and stairs.
- Decks attached to obstacles intended for waiting participants have enough depth to offer protection from flying skateboards.

Supervision and Emergency Measures

Facility management should:

Make certain that all personnel receive adequate training. Training should be documented and records maintained in the department.

- Assure that trained personnel vigilantly supervise activities at the park during hours of operation.
- Post and communicate park rules clearly to participants.
- Post the disclaimer "**Use at your own risk**" prominently with the written rules.
- Require minors to provide written approval from a parent or guardian.
- Require safety equipment, such as helmets and knee pads, for all participants.
- Make training and instruction available to newcomers.
- Require organized groups to provide a certificate of insurance equal to or in excess of that carried by the municipality.
- Assure that first aid supplies are present at readily accessible locations within the park.
- Require staff members to have Red Cross First Aid Certification.
- Assure that phones are readily available to report all emergencies.

Conclusion

Skateboarding and in-line skating are dynamic and fast growing sports. Many enthusiasts of these sports emphasize their inherent risks. Participants often rely on their experience and common sense when choosing the difficulty of the run or obstacle.

The skateboarding industry is developing documented industry standards to provide consistency in the design and construction of obstacles. While these standards are under development, a community can take steps to reduce its risks if it chooses to offer a controlled environment for skateboarding and in-line skating.

The community can obtain plans for the layout of a park as well as obstacle blue prints from sports publications and private businesses. A licensed architect or engineer should evaluate all plans unless the plans have been previously evaluated and certified.

Summary

A sound approach to constructing, maintaining, and operating your entity's skateboard and in-line skating facility benefits your community and every AMIC member. If you have any questions or if we can assist in any other areas of risk management, please contact your Loss Control Consultant.

NOTE: This document is not intended to be legal advice. It does not identify all the issues surrounding the particular topic. Public agencies are encouraged to review their procedures with an expert or an attorney who is knowledgeable about the topic. Reliance on this information is at the sole risk of the user.

Skateboarding And In-Line Skating Facilities Liability Self Assessment

Skateboarding and in-line skating are increasingly popular activities. Many public entities have constructed facilities in response to their communities' demands for safe locations for participating in these sports. To reduce their exposure to liability claims, communities should take appropriate actions to assure the safety of both participants and spectators.

Does your organization:

1. Have a design that meets current skateboard park industry standards?
   Yes ❑ No ❑

Does the park

- Have a design that meets or exceeds the best practices that are currently in place in the industry.
- Have obstacle designs that have been evaluated by a licensed architect or engineer?
- Have all runs and obstacles separated by 20 feet?
- Have perimeter fencing with locking gate to control park access?
- Provide and clearly identify runs and obstacles for beginner, intermediate and advanced skill levels?
- Provide pads or soft material around obstacles to absorb the impact of a fall?
- Have temporary structures that are secure and stable to prevent shifting or movement while being used?
- Provide standard hand rails with midrails and stairs for standing and recovery.
- Provide standard hand rails with midrails for platforms higher than three feet?
- Have decks intended for waiting participants that are deep enough to offer protection from flying skateboards?

2. Retain trained staff for the facility?
   Yes ❑ No ❑

Do you

- Have well-trained, qualified staff actively monitor the skating and other areas at all times? Document all training?
- Require staff to be Red Cross First Aid certified?
- Provide staff with special clothing for easy identification?

3. Supply equipment?
   Yes ❑ No ❑

Do you

- Thoroughly inspect skateboards, skates and safety equipment before and after rental?
- Use qualified and experienced staff to repair equipment?
- Clean and inspect all park owned safety gear regularly?

4. Post clearly stated rules in the park and have other measures to protect both participants and spectators?

Yes ❑ No ❑ →

Do you

- Provide instruction for beginners including the proper way to fall?
- Require participants to wear helmets, knee and elbow pads, gloves and wrist guards and proper shoes?
- Retain the right to revoke the privileges of participants who are rowdy or who do not abide by the rules?
- Control the number of participants allowed on an obstacle or run to minimize injuries resulting from collisions?
- Have phones readily available to report all emergencies?
- Have first aid kits easily accessible from each of the operating runs or obstacles?
- Post and clearly communicate to participants all disclaimers, warnings and safety rules?
- Require minors to provide a signed waiver from a parent or guardian?
- Require spectators to stay outside the park and behind the perimeter fencing to protect them from flying skateboards and to protect the participants from interference or distractions?

5. Have a regular inspection program?

Yes ❑ No ❑ →

Do you

- Inspect runs and obstacles regularly while the park is in operation?
- Assure that all surfaces are smooth and even, free of cracks, moisture or foreign material?
- Check obstacles made of wood daily for protruding nails or screws?
- Inspect and document inspections of the runs and obstacles daily?
- Document all repairs.

Conclusions

☺ If you were able to honestly answer "yes" to all five of the above questions and your organization is following most or all of the suggested practices, then your organization may have reduced its exposure to future claims. You should congratulate yourself.

☹ If you are unable to answer "yes" to one or more of the five questions, your organization may have an exposure to a liability claim. Missing components of one or more of the five recommended practices may also indicate a deficiency in your current program. You should take one or more of the following actions:

- **Correct any deficiency that may exist;**
- **Contact an architect or engineer for advice;**
- **Contact an attorney for advice;**
- **Contact the Alabama Municipal Insurance Corp. at 334/386-3863**

NOTE*:* This document is not intended to be legal advice or implied to identify all skateboarding and in-line skating facility liability related exposures. Public entities are encouraged to contact their attorney and an architect or engineer knowledgeable about constructing skating facilities for assistance in implementing these or other changes. Reliance on this information is at the sole risk of the user.