

# Are Your Playgrounds Safe?

Spring and Summer: the time of the year when thoughts turn to warm evenings spent at the local ballpark. Parents can cheer on their local team while their children play in the playground and, of course, enjoy a hotdog from the concession stand. What could be better? However, for the municipality that owns and runs the facility, there are a number of issues that must be addressed in order to ensure a safe, secure environment for its citizens.

## Bleacher Safety

To promote greater safety at municipal facilities, an assessment of the bleacher systems located in your municipality should be conducted. Many of the bleachers currently in use are old and have not been properly maintained or updated. Openings between seats, footboards and guardrails as well as the structural integrity of the bleachers should be assessed. In response to injuries and deaths from falls from bleachers, the U.S. Consumer Product Safety Commission (CPSC) has issued “Guidelines for Retrofitting Bleachers”. Some of the key points are:

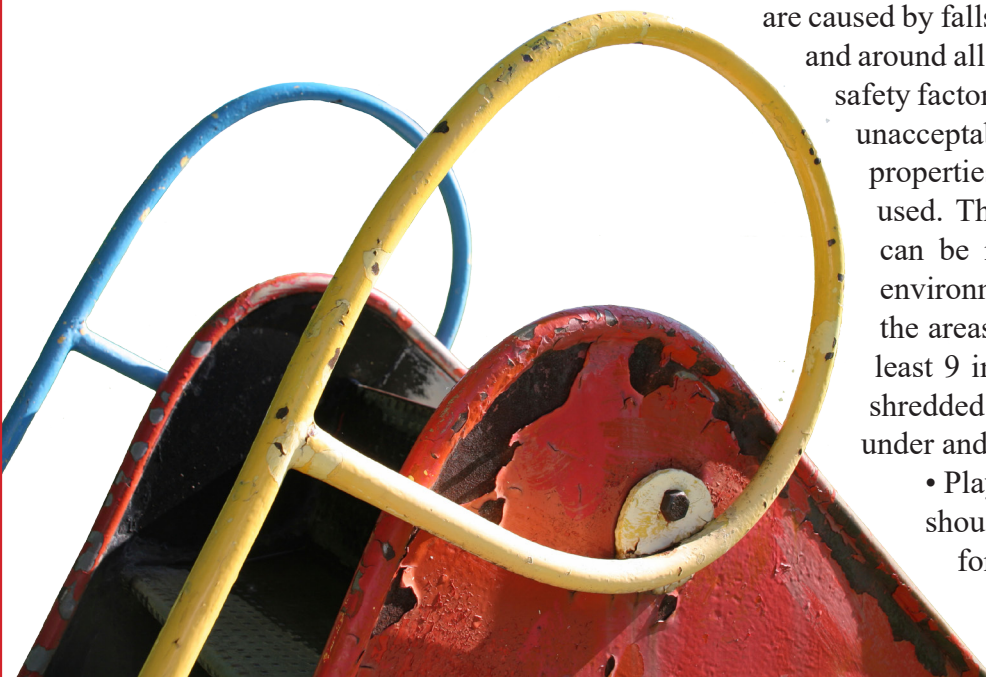
- Guardrails should be present on the backs and portions of the open ends of bleachers where the footboard, seat board or aisle is 30 inches or more above the floor or ground below.
- The top surface of the guardrail should be at least 42 inches above the leading edge of the footboard, seat board, or aisle, whichever is adjacent.
- Any opening between components of the guardrail or under the guardrail should prevent passage of a 4-inch sphere.
- The preferable guardrail design uses only vertical members as infill between the top and bottom rails. Opening patterns that provide a ladder effect should be avoided. If chain link fencing is used on guardrails, it should have a mesh size of 1.25 inch square or less. Your bleachers should be thoroughly inspected at least quarterly by trained personnel and problems corrected immediately. Records of these actions should be retained. A licensed professional engineer, registered architect or company that is qualified to provide bleacher products and services should inspect the bleachers at least every two years and provide written certification at such time that the bleachers are fit for use.

## Playgrounds

Each year, about 200,000 children are treated in U.S. hospital emergency rooms for playground equipment-related injuries. The CPSC produces a comprehensive “Public Playground

Safety Handbook” (CPSC #325, published November 2010) and some of the main safety tips are:

- **Protective Surfacing.** Since almost 79 percent of all injuries are caused by falls to the ground, protective surfacing under and around all playground equipment is the most critical safety factor on playgrounds. Asphalt and concrete are unacceptable. They do not have any shock absorbing properties. Similarly, grass and turf should not be used. Their ability to absorb shock during a fall can be reduced considerably through wear and environmental conditions. It is recommended that the areas under all playground equipment have at least 9 inches of soft fill material such as double shredded bark mulch, wood chips or fine sand under and around it.
- **Playground Maintenance.** Playgrounds should be inspected on a regular basis to check for hardware that is loose or worn, or that has protrusions or projections.



For more detailed information on playground safety, refer to the CPSC's "Public Playground Safety Handbook" (CPSC #325, published November 2010).

### **Electrical Hazards**

There are a number of electrical concerns at ballparks, ranging from flood lights to electrical outlets in covered picnic pavilions. All these electrical issues must meet the National Electrical Code; however, many times ground wiring is broken, fuse boxes are left unlocked, outlets do not have a ground fault interrupter (GFI) device installed and weather-proof covers are missing or broken. Remember, these are usually well within reach of even small children and pose a huge potential liability risk to your municipality.

### **Concession Stands**

Concession stands are a wonderful addition to a ballpark. Not only do they provide the public a chance to buy food and drinks while enjoying a ball game, they are an additional source of revenue for the municipality. However, many concession stands provide hot food such as hot dogs and burgers that are cooked on the premises. This not only raises concerns about food handling safety, but also adds the potential fire hazard from a grease or electrical fire. It is essential that concession stands be properly equipped with fire extinguishers appropriate to the exposure and that employees working at the concession stand are trained in their use.

### **Restroom Facilities**

We all need them, but they can be another source of liability exposure from injuries caused by falling on a wet bathroom floor. It is important that a regular inspection program be in place to check and immediately clean up any water spills that could cause a slip. Restroom facilities are also a common target for vandalism that can be a constant drain on resources to repair. The brown paper towels commonly used in restrooms to dry your hands are frequently used to block toilets and sinks and cause water floods. An alternative method of hand drying such as the warm air blowers might be considered.

### **Signs**

Although posting signs is not sufficient as a sole legal defense, they always help. Consideration should be given to posting a sign detailing the rules while at the facility. In particular, make sure it clearly states that alcohol cannot be consumed on the premises; the park is closed after dark; and the dangers of vehicle or personal injury during a ball game. Interestingly, there is substantial case law from other jurisdictions that make it fairly clear that people who attend ball games assume the risk that they or their property may be struck by a flying ball. However, signage to remind patrons of the danger; suitable fencing to attempt to catch any errant ball; and not having your parking lot in left field with no fence are obvious precautions that should be taken.

Although several topics related to ballpark and playground safety have been addressed here, they only represent a few of the potential hazards and exposures that can exist at this kind of facility. The focus of this article has been to try and limit your entity's liability to accidents at ball parks and playgrounds. However, our first priority is to try and protect the general public and, in particular, the children from injury while using your facilities. Remember, your child plays there too!

For a CPSC checklist on playground safety, see "Appendix: Suggested General Maintenance Checklist" of "Public Playground Safety Handbook" (CPSC #325, published November 2010)  
<http://www.cpsc.gov/s3fs-public/325.pdf>

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