



Legislation Details (With Text)

File #: 2018-0904 **Version:** 1

Type: Ordinance **Status:** To Be Presented

File created: 9/21/2018 **In control:** Committee on Urban Recreation

On agenda: 9/25/2018 **Final action:**

Enactment date: **Enactment #:**

Effective date:

Title: Ordinance amending and supplementing the Pittsburgh Code at Title Four: Public Places and Property, so as to amend Chapter 480: Playground Safety

Sponsors:

Indexes: PGH. CODE ORDINANCES TITLE 04 - PUBLIC PLACES

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

Ordinance amending and supplementing the Pittsburgh Code at Title Four: Public Places and Property, so as to amend Chapter 480: Playground Safety

The Council of the City of Pittsburgh hereby enacts as follows:

Section 1. The Pittsburgh Code, Title Four, Public Places and Property, is hereby amended at Chapter 480, as follows:

CHAPTER 480: - PLAYGROUND SAFETY and ACCESSIBILITY § 480.01 - PLAYGROUND SAFETY ASSESSMENT.

- (a) *Comprehensive audit and hazard analysis.* The Department of Public Works, in consultation with the Department of Parks and Recreation, shall conduct a Comprehensive Audit and Hazard Analysis of each and every play area and piece of play equipment designed, constructed, owned, operated or maintained by the City or its agents. The Comprehensive Audit and Hazard Analysis shall be performed as described in "Evaluating and Improving Playground Safety: A Playground Inventory and Assessment System". (Morrison and DeFrancesco, 1993). The Department of Public Works, in consultation with the Department of Parks and Recreation, shall report the results of the Comprehensive Audit and Hazard Analysis to the Mayor and Council within six (6) months of the effective date of this section, and shall conduct a Comprehensive Audit and Hazard Analysis and report to the Mayor and Council every five (5) years thereafter.
- (b) *Comprehensive Playground Safety Program.* The Department of Public Works, in consultation with the Department of Parks and Recreation shall develop a Comprehensive Playground Safety Program based on the results of the Comprehensive Audit and Hazard Analysis and devised in accordance with § 480.02 and "Evaluating and Improving Playground Safety: A Playground Inventory and Assessment

System" (Morrison and DeFrancesco, 1993).

(Ord. 25-1993, eff. 8-30-93; Ord. 21-2004, § 21, eff. 12-2-04) § 480.02 - COMPREHENSIVE PLAYGROUND SAFETY PROGRAM.

- (a) *Comprehensive Playground Safety Program.* Within one (1) year of the effective date of this section, the Department of Public Works, in consultation with the Department of Parks and Recreation, shall develop a Comprehensive Playground Safety Program which shall include, but not be limited to, the items below. This Comprehensive Playground Safety Program shall be submitted to the Mayor and Council within thirty (30) days of its completion.
- (b) *Immediate repair, replacement or removal of major hazards.* The Department of Public Works, in consultation with the Department of Parks and Recreation, shall immediately repair, replace or remove any and all equipment presenting major hazards as identified by the Comprehensive Audit and Hazard Analysis. Equipment that presents major hazards includes, but is not limited to, entanglement hazards, entrapment hazards, hard-hitting swings, and unstable equipment. The Department shall submit to Council for its review a list of playground equipment it intends to remove prior to the time of removal.
- (c) *Installation of safety surfacing in existing playgrounds.*
- (1) Fall hazards created by inadequate surfaces on play areas shall be addressed expeditiously. Inadequate surfaces include, but are not limited to, surfaces consisting of asphalt, cement, grass and hard dirt. The Department of Public Works, in consultation with the Department of Parks and Recreation, shall establish a timetable for the installation of protective safety surfacing to be placed under and around each piece of playground equipment and each play structure in accordance with at least the national safety standards established in the United States Consumer Product Safety Commission "Handbook for Public Playground Safety" (CPSC, 1991). This timetable for the installation of protective safety surfacing shall be submitted to the Mayor and Council within one (1) year of the effective date of this section.
 - (2) The Department of Public Works, in consultation with the Department of Parks and Recreation, shall conduct and complete within six (6) months of the effective date of this section, a study calculating the feasibility and cost effectiveness of installing and maintaining loose-fill surfacing materials, including, but not limited to, sand, uniform wood chips, wood mulch, and pea gravel as described in Appendix D of the United States Consumer Product Safety Commission's "Handbook for Public Playground Safety" (CPSC, 1991). While rubber matting is the preferable safety surface because it provides both protection from falls and accessibility to children and adults with disabilities, the study shall determine the feasibility of installing loose-fill safety surfacing until economic conditions permit installation of rubber matting surfacing in each and every public play area in the City.
- (d) *Less serious hazards in existing playgrounds.* The Department of Public Works, in consultation with the Department of Parks and Recreation, shall establish a timetable for the removal, repair or replacement of any and all equipment presenting hazards classified as less serious as identified by the Comprehensive Audit and Hazard Analysis. The timetable shall ensure that the less serious hazards are systematically addressed.
- (e) *New or renovated playgrounds.* Any new playground or play area designed, constructed, owned, operated or maintained by the City or its agents, or any single unit or play structure that undergoes renovation in an existing playground or play area shall conform to at least the safety and design specifications of the United States Consumer Product Safety Commission's "Handbook for Public Playground Safety" (CPSC, 1991) and the height specifications established in Section 4.1.5 of the Consumer Federation of America report entitled "Report and Model Law on Public Play Equipment and Areas" (Morrison and Fise, 1992). If the playground or play area will be used by more than one (1) age group the lower height requirement shall

apply. Any new playground or play area designed, constructed, owned, operated or maintained by the City or its agents, or any existing playground or play area that undergoes renovation shall include the installation of safety surfacing under and around all the playground equipment, that at least conforms to the safety and design specifications of the United States Consumer Product Safety Commission's "Handbook for Public Playground Safety" (CPSC, 1991).

- (f) *Inspection and maintenance.* The Department of Public Works, in consultation with the Department of Parks and Recreation, shall develop a plan and implement a regular schedule of inspection and maintenance conducted by trained personnel, including prompt repair or removal of hazards, for each play area and piece of play equipment owned, designed, constructed, operated or maintained by the City or its agents. The schedule shall be based at least upon the safety and design specifications found in the United States Consumer Product Safety Commission's "Handbook for Public Playground Safety" (CPSC, 1991), the recommendations of the playground equipment manufacturers/designers, and the level of use and type of equipment. This plan and schedule shall be submitted to the Mayor and Council within one (1) year of the effective date of this section, and every year thereafter.

(Ord. 25-1993, eff. 8-30-93; Ord. 21-2004, § 21, eff. 12-2-04)

§ 480.03 - ACCESSIBLE SWINGS.

- (a) ***New or renovated playgrounds. Any new playground or play area designed, constructed, owned, operated or maintained by the City or its agents, or any single unit or play structure that undergoes renovation in an existing playground or play area shall include at least one (1) Americans with Disabilities Act (ADA)- accessible swing.***
- (b) ***New or renovated playgrounds. Any new playground or play area designed, constructed, owned, operated or maintained by the City or its agents, or any single unit or play structure that undergoes renovation in an existing playground or play area shall include at least one (1) wheelchair-accessible swing where space allows.***
- (c) ***Notice of Noncompliance. The Department of Public Works shall notify the Chief Operations Officer or Chief of Staff in writing of any new or renovated playground that cannot accommodate an Americans with Disabilities Act (ADA)- accessible swing or wheelchair-accessible swing prior to construction or renovation.***