



County of Santa Cruz

0301

PARKS, OPEN SPACE & CULTURAL SERVICES

979 17 th AVENUE, SANTA CRUZ, CA 95062

(831) 454-7900 FAX: (831) 454-7940 TDD: (831) 454-7978

BARRY C. SAMUEL, DIRECTOR

October 27, 1999

AGENDA: November 9, 1999

BOARD OF SUPERVISORS

County of Santa Cruz
701 Ocean Street
Santa Cruz, CA 95060

SUBJECT: **PROPOSED ORDINANCE REGULATING THE USE OF SAFETY EQUIPMENT AT COUNTY SKATE FACILITIES**

Dear Members of the Board:

With the approach of the opening of the new skate facility at Jose Avenue Park, it is recommended by the Parks Department that the County enact the attached ordinance setting rules for use of certain safety equipment to help ensure the safety of those persons using the facility and to provide some protection from liability for the County.

Health and Safety Code § 115800 requires that a public agency operating a skate park facility pass an ordinance requiring the use of elbow pads, knee pads and a helmet if we are to have any chance of having skateboarding declared a hazardous activity which confers some immunity on the County in the event of an accident.

In addition to recommending the adoption of the ordinance, the Parks Department also suggested setting the following operating rules and regulations for use of skate park facilities (these rules and regulations have been reviewed and approved by the Parks Commission):

- The skate facility is not supervised. Skaters under 8 years of age must be accompanied by an adult of at least 18 years. Skaters assume all risks associated with the use of the park.
- All skaters must wear the appropriate safety gear which includes: helmet, knee pads, elbow pads and wrist/hand guards. All skateboards and in-line skates must be in good working order.
- Due to safety concerns, spectators must remain off the concrete portion of the skate facility.

BOARD OF SUPERVISORS
PROPOSED ORDINANCE REGULATING THE USE OF SAFETY EQUIPMENT AT
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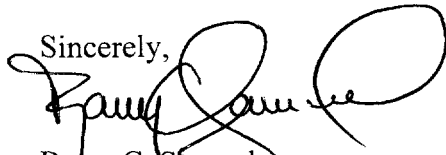
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- All forms of graffiti, tagging, or other means of defacing County property, are strictly prohibited. Such activity may result in temporary closure and possible prosecution of the responsible parties.
- The use of amplified music is prohibited.
- The use of profanity is prohibited.
- All bikers (including BMX bikes) are prohibited in the facility.
- No alcoholic beverages are allowed in or around the park.
- No animals are allowed on the skate facility.
- Respect for the safety and rights of others to use the facility must be shown.
- Hours of operation are 9:00 a.m. to dusk unless otherwise posted.
- Violation of the rules may result in a citation, prohibition from use of the park, or both.
- Do not use the park if a hazardous condition exists. Report any damage or hazardous condition to the Parks Department at 454-7900.

The skate park ordinance has been reviewed by the County Counsel and Sheriffs Department.

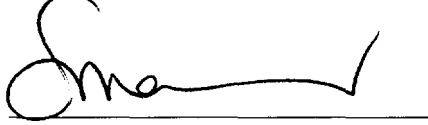
It is therefore RECOMMENDED that your Board approve the attached proposed ordinance in concept and place it on your next agenda for final action and establish the Operative Rules and Regulations for County Skateboard Facilities.

Sincerely,



Barry C. Samuel
Director

RECOMMENDED:



SUSAN A. MAURIELLO
County Administrative Officer

cc: CAO, Sheriff, County Counsel, RDA, POSCS

ORDINANCE NO. _____

**ORDINANCE ADDING SECTION 10.04.280 TO
CHAPTER 10.04 TO THE SANTA CRUZ COUNTY
CODE RELATING TO SKATE FACILITIES**

The Board of Supervisors of the County of Santa Cruz ordains as follows:

SECTION I

The Santa Cruz County Code is hereby amended by adding Section 10.04.280 to Chapter 10.04 to read as follows:

10.04.280 Skate Facilities.

A. No person shall ride a skateboard, in-line skates or roller skates in any temporary or permanent County skate facility unless that person is wearing appropriate safety gear, including a helmet, elbow pads, knee pads and hand/wrist guards.

B. Signs shall be posted at County skate facilities as notice to any person using the facility that they must wear a helmet, elbow pads, knee pads and hand/wrist guards and that any person failing to do so will be subject to citation for violating this section, prohibition from using the facility, or both. One sign shall be posted at any entrance to the skating area and one or more signs(s) shall be posted at another location within the skating area.

SECTION II

This ordinance shall take effect on the 3 1st day after the date of final passage.

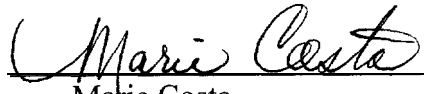
PASSED AND ADOPTED this _____ day of _____, 1999, by the Board of Supervisors of the County of Santa Cruz by the following vote:

AYES:	SUPERVISORS
NOES:	SUPERVISORS
ABSENT:	SUPERVISORS
ABSTAIN:	SUPERVISORS

Chairperson of the Board of Supervisors

Attest: _____
Clerk of the Board

APPROVED AS TO FORM:



Marie Costa
Assistant County Counsel

DISTRIBUTION: POSCS
COUNTY COUNSEL