STAFF REPORT

TOWN COUNCIL MEETING OF FEBRUARY 9, 2016

To: Town Council

From: Roger Carroll, Town Treasurer/Finance Director

Subject: Town ordinance establishing the necessary safety equipment to be used at Town skate facilities.

Date: February 2, 2016

RECOMMENDATION:

Adopt second reading of Ordinance 263, adding Section 16.04.170 of the Loomis Municipal Code establishing the necessary safety equipment to be used at Town skate facilities .

DISCUSSION:

On May 14, 2013, the Town Council accepted the completed skate facility at the Blue Anchor Park.

The State of California has determined that use of such skate facilities is inherently dangerous and participants should be aware that they are taking part in a hazardous activity. Therefore, the State has granted immunities from law suits to communities that provide skate facilities, so long as the proper ordinances are passed and the proper signage is placed at the skate facilities.

Once the attached ordinance is adopted and the signage is in place, should a participant become injured and bring a claim or suit against the Town, we will be able to claim immunity and have the claim or suit dismissed.

CEQA
There are no CEQA issues.

FINANCIAL IMPLICATIONS:
Protection against possible claims or suits against the town.

TOWN OF LOOMIS

ORDINANCE NO. 263

AN ORDINANCE OF THE TOWN COUNCIL OF THE TOWN OF LOOMIS ESTABLISHING THE NECESSARY SAFETY EQUIPMENT TO BE USED AT TOWN SKATE FACILITIES

WHEREAS, on May 14, 2013, the Town accepted the completed skate plaza at the Blue Anchor Park; and

WHEREAS, use of skate facilities is recognized by the State of California as a hazardous recreational activity; and

WHEREAS, certain immunities are available for municipalities to protect them from claims by injured participants.

NOW, THEREFORE, the Loomis Town Council does ordain as follows:

Section 1. Chapter 16.04.170 of the Loomis Municipal Code is hereby amended by adding the following thereto:

"No person shall use any skate facility within the Town of Loomis without wearing a helmet, elbow pads and knee pads. Signs shall be posted at the skate parks and shall state: "All persons using this skate facility must wear a helmet, elbow pads and knee pads. Violators of this rule will be cited." (Ord 263§ 2016)

The Town Clerk shall cause this Ordinance to be published as required by law in the Loomis News, a newspaper of general circulation and posted at three (3) locations within (15) days of the certification to be entered into the Book of Ordinances of the Town.

The foregoing Ordinance was introduced at a regular meeting of the Town Council of the Town of Loomis duly held on January 12, 2016 and was approved and enacted at a duly held regular or adjourned Council meeting held on February 9, 2016, by the following roll call vote:

AYES:
NOES:
ABSENT:
ABSTAINED:

_____
Mayor

ATTEST:

_____
Town Clerk