

# Repeal of Licensing Ordinance Pertaining to Amusement Parks and Rides

*LAW DEPARTMENT*



*April 14, 2020*



# Background

- Since 2005, the City has regulated permanent and portable amusement rides. Chapter 3.20 of the City Code requires:
  - *Annual license for both parks and individual rides*
  - *Liability insurance and ride inspections*
  - *Training of ride operators*

# Background, cont'd

- At the time Chapter 3.20 was adopted:
  - *State of Kansas provided no regulation of this industry*
  - *Amusement ride rentals were increasing in number*
  - *Public safety concerns indicated need for regulation*

# State law changes

- In 2017, state statutes were adopted requiring:
  - *Registration of all permanent and portable amusement rides*
  - *Annual inspections of amusement rides by certified inspectors*
  - *Liability insurance*

# State law, cont'd

- Kansas Department of Labor provides enforcement:
  - *Notification of DOL of any accidents causing bodily injury*
  - *DOL has authority to conduct investigations of any accident*
  - *Local regulation still allowed but cannot conflict with state law*

# City vs. State regulation

- Comparison of regulatory schemes:
  - *State law now provides more rigorous regulation of industry*
  - *City Code is less stringent, in conflict with state law*
  - *Choice is to amend or repeal current ordinances*

# Amendments required

- Amendments to Code needed to eliminate state conflict:
  - *Education level of inspectors allowed to certify rides*
  - *Allowing City to conduct investigations following accidents*
  - *Increase in liability insurance currently required by City Code*
  - *Changes to penalty provisions of City Code*

# Repeal impact

- Staff is recommending repeal of Chapter 3.20:
  - *Allow regulation of amusement rides by State*
  - *Loss of approximately \$5,000 in license revenue*
  - *Eliminate duplicitous and unnecessary layer of regulation*
  - *Reduce costs to businesses*

# Expected Outcomes

- Allow continuous enforcement on State level by DOL
- Eliminate need to amend local law
- Protect public safety by application of more rigorous State law
- Eliminate redundant fees and regulation of business

# Repeal of Licensing Ordinance Pertaining to Amusement Parks and Rides

*Law Department*

