

Amusement Parks & Rides

Proposed Chapter 3.20 Amendments

City Council Workshop – June 22, 2010

Ordinance Background

- Chapter 3.20 – Sets forth licensing requirements for amusement parks and rides
- Last amended in 2005 to:
 - increase minimum liability insurance;
 - include “inflatable” and “portable” rides; and
 - establish minimum requirements for ride safety inspections by “qualified” inspectors (NAARSO Level I or AIMS)
- A recent inflatable ride accident raised concerns about amusement ride safety, operation and inspection

Staff and Industry Review

- During April, at direction of City Manager, multi-department staff team developed recommendations for ordinance amendments
- After reviewing staff recommendations in early May, City Manager directed staff team to obtain input from amusement park/ride industry representatives
- During May and June, staff met with industry representatives to obtain feedback and make suggestions for ordinance amendments

Modified Definitions

- Amusement park
- Amusement ride
- Inflatable
- Qualified inspector (AIMS eliminated, NAARSO Level II added for some ride types)
- Temporary (portable) amusement rides

New Definitions

- Amusement ride company (specifically includes non-profits such as schools and churches)
- Certificate of inspection (sets forth minimum documentation requirements for certificates)
- Kiddie ride
- Level I Qualified Inspector (NAARSO only)
- Level II Qualified Inspector (NAARSO only)
- Licensee
- Operator
- Parent or Guardian
- Patron
- Serious injury
- Self-inspection

Modified Application Requirements

- New “exceptions” section to better define what types of rides need licensing and inspections
- Additional license application/approval requirements, including specific documentation for: licensed rides (manufacturer, name, type, serial number); required ride inspections; required inspection certificates from “qualified inspectors”; and insurance
- New language requiring carnivals and/or circuses to obtain additional “Community Event” license per Chapter 3.11, when applicable
- New section on reasons for denial of a license, including 2-year “look-back” on violations of the ordinance

New or Modified Ride Safety & Inspection Requirements

- Required ride safety inspections by appropriately qualified inspectors (NAARSO Level I or Level II, depending on ride type; no AIMS)
- Required routine inspections of rides during annual license period and prior to ride use
- Required ***on-site*** documentation of current ride safety inspections by appropriate qualified inspectors (including copy of City inspection certificate verification)
- Required ***on-site*** documentation of manufacturer's instructions and recommendations for operation, set-up, use and maintenance of rides
- Required ***on-site*** posting of ride safety instruction on/near each ride

New or Modified Operating Requirements

- Licensees and operators required to:
 - install, use and operate rides in accordance with manufacturer's instructions/recommendations;
 - ensure that safety instructions are posted on/near rides;
 - provide and document ride-specific operator training (physical ride operation/procedures, operator duties, safety/emergency procedures, supervised observation of operator's physical operation of rides);
 - provide re-training of operators at least once a year;
 - report "serious injuries" sustained on rides to the City (911) within one hour, and discontinue ride use until re-inspected by a qualified inspector and deemed safe to operate; and
 - provide notification of any new/used ride purchases with appropriate inspection documentation to OCI (for City approval and verification prior to first use of ride).

New and Modified Operating Requirements

- New requirement for licensees to provide the following to individuals renting rides:
 - licensed amusement company information;
 - written ride use/operating instructions;
 - written ride safety and emergency procedures;
 - written specific ride information (serial number, name, manufacturer);
 - written information on most recent ride inspection;
 - copy of current City ride inspection verification.

New Patron/Renter Requirements

- New “patron” responsibilities (including individuals who rent rides):
 - obey all operating, use and safety instructions/warnings;
 - engage all safety devices provided;
 - no disconnection of safety features/devices provided; and
 - exercise judgment and act in a manner of an ordinary prudent person while participating in an amusement ride.

New and Modified Enforcement Provisions

- Enhanced enforcement provisions:
 - WPD and OCI both granted enforcement authority;
 - new requirements for on-site rental agreement information, ride information, operating and safety instructions, operator training verification, and inspection documentation will facilitate enforcement actions;
 - licensees, operators and/or patrons may be held accountable and cited, if necessary;
 - increased penalties (fines & imprisonment);
 - additional causes for license suspension or revocation; and
 - suspension or revocation may be initiated by Police Chief or Superintendent of OCI.

Questions?
Feedback?