



# **PARKS AND RECREATION COMMISSION AGENDA REPORT**

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MEETING DATE: June 26, 2014

ITEM NUMBER:

SUBJECT: VOLCOM SKATE PARK ACTION PLAN

DATE: June 6, 2014

FROM: PARKS AND COMMUNITY SERVICES DEPARTMENT/RECREATION DIVISION

PRESENTATION BY: LISA MCPHERSON, RECREATION SUPERVISOR

FOR FURTHER INFORMATION CONTACT: LISA MCPHERSON RECREATION SUPERVISOR  
(714) 754-5322

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## **RECOMMENDATION**

Staff recommends that the Commission discuss an action plan for the City to address public safety concerns at the Volcom Skate Park. The following Action Plan Options for consideration:

### **Action Plan Option 1**

- Requires a budget appropriation of \$232,724 in the FY 2014-2015 budget to fund the necessary staffing to restructure the operations of the Volcom Skate.
- A month before implementing this action plan, close the skate park for maintenance.
- Increase police presence to assist at the skate park for a minimum of one (1) month during open to close hours (9 a.m. to 9 p.m.) to ensure an easy transition (from unsupervised to supervised).
- City will assume all liability when staff is present at the Volcom Skate Park.

### **Action Plan Option 2**

- Requires a budget appropriation of \$47,280 in the FY 2014-2015 budget to fund year round Recreation staff-lead skating programs (clinics and camps) as well as establish program fees.
- Require private instructors who conduct skating programming (private and group lessons, camps, and clinics) in the skate park to be approved by the City.
- Increase Park Rangers presence by conducting random visits and enforcements.
- A week before implementing the action plan, close the skate park for maintenance.
- City will assume all liability when staff is present at the Volcom Skate Park.

### **Action Plan Option 3 (Staff Recommendation)**

- Continue with current operations and hire budgeted Park Rangers and Ambassadors to provide more enforcement with the addition of requiring private instructors who conduct skating programming (private and group lessons, camps, and clinics) in the skate park to be approved by the City.
- This plan is recommended by staff and no Council action is needed.
- There is no fiscal impact with this option.

Action Plan Options 1 and 2 requires Council approval and Option 3 requires no Council action.

## **BACKGROUND**

At the October 24, 2013, Parks and Recreation Commission meeting, the Commission requested staff develop an Action Plan to address the public safety concerns with skate park participants and the increase in incidents and citations issued by the Police Department due to the lack of supervision at the facility.

Staff worked with the Costa Mesa Police Department, the Mesa Del Mar Homeowners Association and local skaters to establish the skate park's design and hours of operation. The Volcom Skate Park opened in June 2005. This facility is a permanent 24,000-square-foot skate park that is unsupervised and free of charge. The skate park's purpose was intended for Costa Mesa youth skaters to have a facility that was accessible, local and open for them to skate.

Currently, the skate park is open to the public year-round and the hours of operation are as follows:

- Monday thru Sunday, from 9 a.m. - 9 p.m., except on Tuesday.
- Tuesday, from 3 p.m. - 9 p.m. The skate park is closed from 9 a.m. - 3 p.m. for maintenance.

The facility is opened by the City's Maintenance Services staff and is monitored and closed by the City's Park Rangers. The Recreation Division Field Ambassadors also assist with the closing of the Skate Park when Park Rangers are not available.

During 2006 through 2009, the Recreation Division operated a staff-lead skate program, which provided skating lessons during the Newport Mesa Unified School District's holiday breaks. In 2009, the Recreation Youth Skate Program was eliminated due to budgetary constraints. The City replaced the program with instructional contract classes where a third-party instructor provides skating lessons for children. These classes continue to be offered during the Newport Mesa Unified School District (NMUSD) school year and holiday breaks. City-permitted skate instructors were required to wear city-issued badges to assist Park Rangers and Police Officers in identifying authorized skate instructors utilizing the facility.

In 2010, the City reduced its Park Ranger staffing levels from three (3) to one (1) due to budgetary constraints. Currently there are four (4) budgeted Park Ranger positions in the Police Department. In 2010 private instructors also began to conduct lessons at Volcom Skate Park without the required business license, which contributed to the lack of control at the facility.

Over the past six months (October 2013 through March 2014) the Police Department received approximately ninety-five (95) calls for service. These calls were for various types of incidents (medical aids, patrol checks, municipal code violations, disturbance calls and suspected drug activity). Out of the ninety-five (95) calls, thirty-four (34) calls were self-initiated by a Police Officer or Park Ranger.

## **ANALYSIS**

Staff surveyed surrounding skate parks to obtain operational information (Attachment 1) to improve on the operations of the Volcom Skate Park. The survey information assisted staff in developing Action Plan Options 1 and 2. All three (3) of these Action Plan Options are predicated on providing the necessary City presence to address the safety concerns at the facility while maintaining free access to the park without impacting its current hours of operation.

Implementing either of the recommended Action Plan Options (1 or 2) the City will assume all liability when staff is present at the Volcom Skate Park. Staff will be required to obtain signed

waiver and release of liability forms, report all incidents and accidents, administrate basic first aid and enforce all municipal codes.

### **Action Plan Option 1**

Restructuring the skate park operations from an unsupervised to a supervised facility.

#### Restructuring

- The operations at the Volcom Skate Park will be restructured from an unsupervised to a supervised skate park in order to provide a daily presence and safe environment for the skating community.
- Enforce skate park rules and regulations and wearing of safety gear (helmet and knee/elbow pads); and obtain usage metrics (daily attendance, peak and down times, average age and demographics) to assist with the facility management and operations.

#### Operations

Recreation Ambassadors will enforce the Skate Park rules and regulations and ensure skaters wear the required safety gear.

#### Hours of Operation

- The current hours of operation at the park will remain unchanged.
- The skate park will be supervised by two-three (2-3) Recreation Ambassadors seven days a week from 9 a.m. to 9 p.m.

#### Open and Close Procedures

- Recreation Ambassadors will arrive at 8:30 a.m. to conduct an inside and outside skate park perimeter safety check, set up a check-in area (in front of the main skate entrance) and open the skate park.
- Recreation Ambassadors will close the skate park at 9 p.m. and leave at approximately at 9:30 p.m. after tearing down the check-in area and conducting a perimeter check.

#### Recreation Ambassador Shifts

- For efficient daily coverage during opening through closing hours at the Volcom Skate Park, during Newport Mesa Unified School days (September through June); two-three (2-3) part-time Recreation Ambassadors will be scheduled to work a five (5) hour shift.
  - Two (2) Recreation Ambassadors from 8:30 a.m. to 1:30 p.m.
  - Two (2) Recreation Ambassadors from 12 p.m. to 5 p.m.
    - Time overlap required for shift change
  - Three (3) Recreation Ambassadors from 4:30 p.m. to 9:30 p.m.
- For efficient daily coverage during opening through closing hours at the Vocom Skate Park, during Newport Mesa Unified School breaks (June-September; December; January; February and April) three (3) part-time Recreation Ambassadors will be scheduled to work a five (5) hour shift.
  - Three (3) Recreation Ambassadors from 8:30 a.m. to 1:30 p.m.
  - Three (3) Recreation Ambassadors from 12 p.m. to 5 p.m.
    - Time overlap required for shift change
  - Three (3) Recreation Ambassadors from 4:30 p.m. to 9:30 p.m.
- For efficient staff supervision and administrative work (reports, staff scheduling, training and evaluations) one (1) part-time Recreation Ambassador (supervisor) will work various five (5) hour shifts during the skate park operations.

### Ambassador Enforcement

- All skaters will be required to complete and sign a waiver and release of liability forms (Attachments 2 & 3).
- Forms will be available on the City's website and at the skate park check-in area.
- Once forms are completed and approved by Recreation Ambassadors they will provide each skater with an "Entry Pass" (Attachment 4). The "Entry Pass" will allow Recreation Ambassadors to know that the skater has completed the form and is allowed access into the skate park.
- All skaters will be required to wear skate equipment (helmet and knee/elbow pads) and follow all skate park rules and regulations.

### Police Presence

Staff anticipates that police personnel presence will be needed at the skate park for a minimum of one (1) month during open to close hours (9 a.m. to 9 p.m.) to ensure an easy transition (from unsupervised to supervised).

### **Action Plan Option 2**

Implement year round Recreation staff-lead skating programs, non-profit tournaments and events, requiring private instructors to be approved by the City to conduct business in the Volcom Skate Park and increasing Park Rangers enforcement.

#### Year Round Recreation Staff-Lead Skating Programs

Currently, Recreation has one (1) approved Contract Class Instructor that offers semi-private and group lessons and camps. These lessons and camps will continued to be offered in conjunction with the proposed staff-lead camps and clinics.

Recreation staff-lead skating programs will be similar to the program offered in 2009:

- NMUSD Holiday Break Skate Camps
  - Twenty (20) youth skaters ages 8-12 will have an opportunity to interact with other youth skaters while perfecting their techniques, learning new tricks and visiting surrounding skate industries and skate parks.
  - Camps will be conducted for thirteen (13) weeks during the NMUSD Holiday Breaks (Winter 2 weeks (December and January); February 1 week; Spring 1 week (April) and Summer 9 weeks (June –August)
  - Monday through Friday (except on City Holidays) from 9:00 a.m. to 3:00 p.m. at the Volcom Skate Park.
- School Year Clinics
  - During NMUSD school year twenty (20) youth skaters ages 8-12 will have an opportunity to interact with other youth skaters while perfecting their techniques and learn new tricks.
  - Clinics are once a week each month (September, October, November, March, May) when NMUSD is in session.
  - Monday through Friday (except on City Holidays) from 3:00 p.m. to 6:00 p.m. at the Volcom Skate Park.

#### Non-profit Competitions and Events

Currently, National Scholastic Skateboarding League (NSSL) holds skate competitions at the skate park during the NMUSD school year. NSSL has expressed interest in providing more competitions and events at the skate park year around to assist in promoting a positive skating environment.

#### Approving Private Instructors

To assist Park Rangers and Police Officers in identifying authorized private skate instructors at the Volcom Skate Park; the following will be required from all private skate instructors:

- Obtain a City business license.

- Provide "General Liability Insurance" (*Minimum policy limit requirement is \$1,000,000 combined single limit coverage with insurance designated "per occurrence." and two endorsements designating the City of Costa Mesa as additional insured, and insurance as primary City as non-contributory*).
- If instructor has skate employees, they will need to provide "Workers Compensation Coverage" (Minimum policy limit requirements are \$1,000,000 bodily injury by disease; and \$1,000,000 bodily injury each employee for accident or disease per occurrence. If you have no employees, you must sign a Declaration of Non-employee Status form available from the city).

Recreation will provide each approved private skate instructors with a city-issued badge for them to wear while conducting skating lessons. A list of approved private skate instructors will be given to the Park Rangers.

#### Increase Park Ranger Presence

Currently Park Rangers and Police Officers patrol the skate park once a day or when responding to a call at the skate park. Increase the presence of enforcement by having Park Rangers show up at the skate park at random times during the day every day. Conduct random check-ins will assist in ensuring safety and required skating gear (helmets and pads) are being worn.

Implementation of either Action Plan Options 1 or 2 will not begin until early January 2015. Staff will need to recruit, hire and train staff, purchase supplies as well as develop and promote programming.

#### Action Plan Option 3

Staff recommends continuing the current operations and hire budgeted Park Rangers and Ambassadors to provide more enforcement. In addition, staff recommends requiring private instructors who conduct skating programming (private and group lessons, camps, and clinics) in the skate park to be approved by the City. Approving this plan requires no action from Council.

### **ALTERNATIVES**

1. The Commission may recommend both Action Plan Options 1 and 2 for City Council consideration.
2. The Commission may consider continuing the current operations at the park (Action Plan Option 3).

### **FISCAL IMPACT**

Funds for either Action Plan option will be requested through the 2014-2015 Budget for Council consideration.

#### Action Plan Option 1

A total of **\$232,724** will be required to offset the cost of personnel and equipment needed for the manned operation of the park.

- Approximately \$169,084 in part time staffing cost are anticipated for six -nine (6-9) part-time Recreation Ambassadors salaries to operate the skate park starting in July 2014.
- Approximately \$5,240 to fund materials (office supplies, equipment, CPR and first aid training and first aid supplies) needed for the annual operations.
- Approximately \$2,400 to purchase and install revised rules and regulations signs located outside and inside the skate park.

- Approximately \$20,000 to purchase an 8 x 20 foot modular space trailer.
- Approximately \$6,000 to purchase office equipment (computer equipment, Wi-Fi and office furniture)
- Approximately \$30,000 for fence modification, electric entrance/exit gate, trailer placement and electrical hook ups.

### **Action Plan Option 2**

A total of \$47,280 will be required to fund the Recreation staff-lead camps and clinics as well as new signage at the skate park to reflect revised and added Municipal Codes to Section 12-57.

- Approximately \$32,248 in part time staffing cost are anticipated for one (1) part-time Recreation Leader IV and two (2) part-time Recreation Leader III's salaries to conduct programming starting in September 2014.
- Approximately \$12,632 to fund miscellaneous supplies, surrounding skate park visit costs and participant T-Shirts.
- Approximately \$2,400 to purchase and install revised rules and regulations signs located outside and inside the skate park.

### **Action Plan Option 3**

There is no fiscal impact as a result of implementing Option 3.

## **LEGAL REVIEW**

Based on the City Attorney, implementing either of the recommended Action Plan Options (1 or 2) the City will assume all liability when staff is present at the Volcom Skate Park. Staff will be required to obtain signed waiver and release of liability forms, report all incidents and accidents, administrate basic first aid and enforce all municipal codes.

The City Attorney has reviewed the proposed waiver and release of liability forms. The City Attorney has also recommended that the following sections be revised and added to the Skate Park Municipal Codes (Attachment 4) for all three (3) Action Plan Options:

### **Action Plan Option 1**

- Sec. 12-57 Skate park regulations (revision)
  - Current code (b) "No person shall skate or skateboard without wearing the required safety equipment as posted at a skate park"
    - **Revised code** (b) *"Pursuant to the provisions of this section and California Health and Safety Code Section 115800(b), no person shall roller skate or skateboard within the skate park unless that person is wearing a properly fitted and fastened helmet, elbow pads designed for roller skating or skateboarding uses with plastic elbow caps, and knee pads designed for roller skating or skateboarding uses with plastic knee caps"*
  - Current code (i) "No person shall enter the skating surface area of a skate park unless actively skateboarding or roller skating in accordance with these regulations".
    - **Revised code** (i) *"Spectators are not allowed in the skate area. No person shall enter or be upon the skate area unless that person is actively roller skating or skateboarding in accordance with these regulations"*.
  - Current code (o) "No person shall skate or skateboard at a skate park at any times other than those established as the hours of operations"
    - **Revised code** (o) *"No person shall enter or be upon the skate area at any time other than during the posted hours of operation for the Park. No*

*person shall enter or be upon the skate area at any time that the Park is closed or when City staff or designated representatives have closed the skate area”.*

- Sec. 12-57 Skate park regulations (add)
  - (p) No persons under the age of twelve (12) may utilize the skate park unless accompanied by an adult.
  - (q) No person shall pay another person or group at the skate park for instruction, coaching, teaching or for camps unless that person or group has been employed, contracted or approved by the City.
  - (r) No person shall roller skate or skateboard unless all the required equipment under Section 12-57 (b) is in good repair at all times during use.
  - (s) No person shall roller skate or skateboard at the skate park unless or until he or she has executed and delivered a waiver and release and received from the City a current valid entry pass.
  - (t) Any person violating or failing to follow and comply with any of the regulations set forth in Section 12-57 may be removed from the Park.

### **Action Plan Option 2**

- Sec. 12-57 Skate park regulations (revision)
  - Current code (o) “No person shall skate or skateboard at a skate park at any times other than those established as the hours of operations”
    - **Revised code** (o) *“No person shall enter or be upon the skate area at any time other than during the posted hours of operation for the Park. No person shall enter or be upon the skate area at any time that the Park is closed or when City staff or designated representatives have closed the skate area”.*
- Sec. 12-57 Skate park regulations (add)
  - (p) No person shall pay another person or group at the skate park for instruction, coaching, teaching or for camps unless that person or group has been employed, contracted or approved by the City.
  - (q) Any person violating or failing to follow and comply with any of the regulations set forth in Section 12-57 may be removed from the Park.

### **Action Plan Option 3**

- Sec. 12-57 Skate park regulations (revision)
  - Current code (o) “No person shall skate or skateboard at a skate park at any times other than those established as the hours of operations”
    - **Revised code** (o) *“No person shall enter or be upon the skate area at any time other than during the posted hours of operation for the Park. No person shall enter or be upon the skate area at any time that the Park is closed or when City staff or designated representatives have closed the skate area”.*
- Sec. 12-57 Skate park regulations (add)
  - (q) No person shall pay another person or group at the skate park for instruction, coaching, teaching or for camps unless that person or group has been employed, contracted or approved by the City.
  - (t) Any person violating or failing to follow and comply with any of the regulations set forth in Section 12-57 may be removed from the Park.

## CONCLUSION

Three (3) Action Plan Options have been developed to address the public safety concerns with skate park participants, incidents and increase in citations issued by the Police Department. The Parks and Recreation Commission direct staff to include a budget appropriation in the proposed 2014-2015 Fiscal Year Budget for City Council consideration to fund either:

- Action Plan Option 1 (supervised estimated at \$232,724)
- Action Plan Option 2 (Recreation staff-lead programming require private instructors to be approved by the City and increase police presence at the Volcom Skate Park estimated at \$47,280).

Once again, implementing either of the recommended Action Plan Options (1 or 2) the City will assume all liability when staff is present at the Volcom Skate Park. Staff will be required to obtain signed waiver and release of liability forms, report all incidents and accidents, administrate basic first aid and enforce all municipal codes.

Staff recommends continuing with current operations and hiring budgeted Park Rangers and Ambassadors to provide more enforcement. In addition, staff recommends requiring private instructors who conduct skating programming (private and group lessons, camps, and clinics) in the skate park to be approved by the City. Approving this plan requires no action from Council.



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**LISA MCPHERSON**  
Recreation Supervisor



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**PENNY LOOMER**  
Interim Recreation Manager



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**TAMARA LETOURNEAU**  
Assistant CEO

## ATTACHMENT

- 1) Skate Park Survey
- 2) Liability and Release Waiver
- 3) Emergency Contact and Release of Liability
- 4) Park Entry Pass
- 5) Skate Park Municipal Codes

Other Skate Park's Operation Information Survey

Attachment 1

City	Square Footage	Lights	Gated	Supervise	Staffing and Program cost	Provide Programs	Entrance Fee	Staffing	Operation Hours
Huntington Beach/Vans	42,000	Yes	Yes	Yes	Vans Corporate office will not provide information	Not provided by city	Free	4-5 Staff(not provided by city)	Year Round 10am-7pm
Irvine	10,000	Yes	Yes	Yes	\$100,000	No	Free	3 PT	M-F 2-8pm Sat 10am-9pm Sun Noon-8pm Holiday's & Summer M-F 10am-8pm Sat 10am-9pm Sun Noon-9pm
Laguna Hills	20,000	Yes	No	No	No Staff	No	Free	No staff	Year Round Mon-Sun 8am-10pm
Laguna Niguel	22,000	Yes	Yes	Yes	\$140,000	Yes	Annual Pass: \$30 Residents \$60 Non Resident \$10 day pass	1 FT 10 PTs	Mon-Fri Noon - 9:30p Weekends/ Holidays and Summer 9am-9:30pm
Lake Forest	40,000	Yes	Yes	Yes	\$250,000	Yes	Residents Free Non Res \$5	1 FT 15 PTs	School Year Mon- Th 11am - 9pm Fri 11am-10pm Sat 10am-10pm Sun 10am-9pm Summer M-F 10am-10pm
Oceanside	22,000	No	No	No	\$7,500	Yes	Free	No staff	Year Round Dawn- Dusk

San Clemente	12000+	No	No	No	No Staff	No	Free	No staff	Year Round Mon-Sun Dawn-Dusk
The Block Vans	30,000	Yes	Yes/indoor	Yes	Vans Corporate office will not provide information	Yes	Annual Pass: \$25 Day Pass M-F \$7 for members and \$10 for Non members Sat-Sun \$12 for members and \$17 for Non members	2 FT 20 PTs	Year Round Mon-Sun 10am-10pm

**City of Costa Mesa Volcom Skate Park  
LIABILITY AND RELEASE WAIVER**

This agreement, Liability and Release Waiver is required to be completely filled out and submitted to the City by the Skater or Skater's parent or legal guardian prior to the Skater using the City of Costa Mesa Volcom Skate Park. *THIS AGREEMENT CONSTITUTES AN EXPRESS CONTRACTUAL ASSUMPTION OF ALL RISKS, WAIVER AND RELEASE FROM ALL LIABILITY FOR ANY NEGLIGENCE AND INDEMNITY FOR ALL THIRD PARTY CLAIMS*

Last Name \_\_\_\_\_ First Name \_\_\_\_\_

I understand that skateboarding, in-line skating, rollerskating, rollerblading, and bike riding are inherently dangerous sports and activities in which I choose to voluntarily participate at my own risk. I am aware that the usual risks, hazards and dangers of personal injury, death and disability and property damage or loss (collectively "Injuries"), increase when using ramps, curbs, steps, half pipes, inclines or declines, bowls or any other structure or device. I understand that the risks, hazards and dangers include, but are not limited to, uncontrollable boards, falling, jumping, landing, performing tricks, colliding with other users, staff, media personnel and spectators. I also understand that these risks, hazards and dangers are further increased when other persons, whether or not of the same level of experience or skill, are present at the same time and using the same facilities. (All of the above defined activities are collectively referred to throughout this Agreement as "the Hazardous Activities").

By this agreement, it is my intention to relieve the CITY OF COSTA MESA, its officers, agents, employees and volunteers (hereinafter, "CITY") of any duty to me and I do assume the entire risk of any Injuries that might occur during or as a result of my use of, or presence at, the Volcom Skate Park. By this agreement, I, my heirs and anyone who may file a claim on my behalf release, discharge and absolve CITY from any and all liability for any active or passive negligence whatsoever by CITY and waive and relinquish any claim or cause of action against CITY for any loss, claim, damage, personal injury, disability, death, medical and any other type of expense or property damage or loss caused by any negligence of CITY and promise not to sue or exercise any legal right to seek damages from CITY.

In consideration of utilizing the Volcom Skate Park, I agree as follows:

1. As to my participation in any activity, including, but not limited to, the Hazardous Activities and as to any and all liability for the Injuries which I may suffer or incur due to any cause whatsoever, while in the interior or exterior of the premises of the Volcom Skate Park, I hereby agree:
  - a. To waive any and all claims for Injuries that I may have against CITY, its officials, employees, officers, contractors, volunteers, sponsors, vendors or any other company or entity in any way associated with it.
  - b. To release and discharge CITY from any and all liability for the Injuries that I may suffer or incur, or that my next of kin may suffer as a result of participating in any activity, including, but not limited to, Hazardous Activities while at the Volcom Skate Park.
  - c. To hold harmless and indemnify CITY from any and all liability for the damages to any third party resulting from my participation in any activity, including, but not limited to, Hazardous Activities while at the Volcom Skate Park.
2. To allow CITY to use my picture or other likeness, or my child's picture or likeness, in the CITY's general publicity and skate park materials. In addition, I also waive and release the use of my picture and likeness, or my child's picture or likeness, for any reason or purpose.

This waiver and release of liability and indemnification agreement (collectively, referred to as “Waiver and Release”) shall be effective and binding upon my heirs, next of kin, family, relatives, guardians, conservators, executors, administrators, trustees and assigns in the event of my injury, disability or death.

I HAVE READ, UNDERSTAND AND AGREE to be bound by the rules and regulations contained in Ordinance No 05-5 and 07-1 Sec. 12-57 and which governs my conduct while using the Volcom Skate Park. I understand that these rules are strictly enforced. I further understand that if I violate any of these rules, City staff may remove me from the Volcom Skate Park.

I AGREE that this Agreement is intended to be as broad and inclusive as is permitted by the law of the State of California and that if any portion thereof is held invalid, it is agreed that the balance shall, notwithstanding, continue in full legal force and effect.

I CERTIFY that I/he/she has no medical condition that would cause participation in activities at the Volcom Skate Park to be potentially hazardous to my/his/her health. In addition, this agreement shall constitute authorization for the City to provide or cause to be provided such medical treatment to the undersigned as may be necessary or appropriate if an injury occurs while at the Volcom Skate Park.

The UNDERSIGNED HAS READ AND KNOWINGLY AND VOLUNTARILY SIGNS THIS AGREEMENT, INCLUDING A WAIVER AND RELEASE. The undersigned certifies that all information provided is accurate and further agrees that no oral representations, statement, or inducements apart from this Agreement have been made by CITY or anyone else with regard to the subject matter of this Agreement.

If I am under 18 year old, my parent or legal guardian and I hereby certify I am less then 18 years old. We have completely read and understand this Agreement and its terms. Prior to signing this Agreement, we have had the opportunity to ask any questions about this Agreement. We are aware that, by signing this Agreement, we assume all risks and waive and release certain rights that I and my heirs, next of kin, family, relatives, guardians, conservators, executors, administrators, trustees and assigns have against the CITY.

Participants Signature \_\_\_\_\_ Date \_\_\_\_\_

Parent/Legal Guardian Signature \_\_\_\_\_ Date \_\_\_\_\_

City Staff “Witness” Signature \_\_\_\_\_ Date \_\_\_\_\_

*Note: If City staff cannot witness the parent or guardian’s signature, the form must be notarized*

**City of Costa Mesa Volcom Skate Park  
EMERGENCY CONTACT AND RELEASE OF LIABILITY**

PLEASE PRINT CLEARLY:			
Last Name _____	First Name _____		
Birth Date: _____	Age: _____	(Circle one) Male	Female
Address _____			
City _____	State _____	Zip Code _____	
Email Address _____			
Phone HM (____)	WK(____)	Cell (____)	
Emergency Contact: Name _____			
Phone Number:(____)		Relationship _____	

**General Skate Park Guidelines**

- City of Costa Mesa is not responsible for personal property brought to the Skate Park.
- Participants violating the regulations will be removed from the Skate Park and may be prohibited from using the Skate Park in the future.
- Participants skate at their own risk. *The City of Costa Mesa will not be liable for injuries.*
- City of Costa Mesa reserves the right to change the Skate Park hours of operations as necessary. *Skate Park will not be open during inclement weather.*

**For Your Safety**

- Skateboards and in-line skates only. All other uses are prohibited.
- All participants must wear commercially manufactured safety gear (helmet, elbow pads and kneepads). *Failure to wear safety equipment will result in loss of Skate Park privileges and/or citation.*
- All participants must have a liability waiver on file. Skaters under the age of 18, parent/guardian must sign release in person or have forms notarized
- Participants must be aware of others skating to avoid collisions. Fighting or other disruptive behavior will result in loss of skating privilege.
- No portable/personal stereos and headphones within the Skate Park or perimeter.
- Additional obstacles or other materials are prohibited within the Skate Park or perimeter.
- Children under the age of 12 must be accompanied by an adult.
- Spectators are not permitted inside the Skate Park.
- Participants must abide by staff instructions at all times. Notify staff of any unsafe conditions found inside or outside the Skate Park.

**For the Enjoyment of all Participants**

- No food, beverages, glass bottles or any breakable glass items on the skating surface.
- No skating in the parking lot, on sidewalks, curbs or entrance areas near the Skate Park. No trespassing during non operational hours.
- All forms of graffiti, tagging or other means of defacing (stickers/decals) City property is strictly prohibited.
- Profanity and abusive language are prohibited.
- Possession of dangerous weapons is prohibited.
- All trash or debris must be placed in a designated trash receptacle.
- Proper attire must be worn at all times within the Skate Park.
- Contests or tournaments need to be approved by the City.

I acknowledge that I have read, understand and agree to follow the Volcom Skate Park rules listed on this form and posted at the Skate Park. Failure to abide by these rules shall be cause for ejection from the Skate Park and suspension of Skate Park privileges.

Signature (must be signed by parent/guardian if participant is a minor) \_\_\_\_\_

Date \_\_\_\_\_

**All Skate Park participants must have a liability waiver on file. For participants under the age of 18, parent/guardian must sign release forms in person or have forms notarized.**

For Staff use only:	Skater's ID # _____
Received by: _____	Date _____ Signature _____

City of Costa Mesa Volcom Skate Attachment 4  
Park Entry Pass

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Date issued \_\_\_\_\_ Staff INT \_\_\_\_\_  
Age 12+

City of Costa Mesa Volcom Skate Attachment 4  
Park Entry Pass

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Date issued \_\_\_\_\_ Staff INT \_\_\_\_\_  
Age 12+

City of Costa Mesa Volcom Skate Attachment 4  
City of Costa Mesa Park Entry Pass

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Date issued \_\_\_\_\_ Staff INT \_\_\_\_\_  
Age 12+   
Age 12+

City of Costa Mesa Volcom Skate Attachment 4  
Park Entry Pass

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Date issued \_\_\_\_\_ Staff INT \_\_\_\_\_  
Age 12+

City of Costa Mesa Volcom Skate Attachment 4  
City of Costa Mesa Park Entry Pass

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Date issued \_\_\_\_\_ Staff INT \_\_\_\_\_  
Age 12+

City of Costa Mesa Volcom Skate Attachment 4  
Park Entry Pass

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Date issued \_\_\_\_\_ Staff INT \_\_\_\_\_  
Age 12+

City of Costa Mesa Volcom Skate Attachment 4  
City of Costa Mesa Park Entry Pass

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Date issued \_\_\_\_\_ Staff INT \_\_\_\_\_  
Age 12+

City of Costa Mesa Volcom Skate Attachment 4  
Park Entry Pass

First Name \_\_\_\_\_

Last Name \_\_\_\_\_

Date issued \_\_\_\_\_ Staff INT \_\_\_\_\_  
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City of Costa Mesa Volcom Skate Attachment 4  
City of Costa Mesa Park Entry Pass

First Name \_\_\_\_\_

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City of Costa Mesa Volcom Skate Attachment 4  
Park Entry Pass

First Name \_\_\_\_\_

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Costa Mesa, California, Code of Ordinances >> TITLE 12 - PARKS AND RECREATION >> CHAPTER II. - USE REGULATED >> ARTICLE 2. SKATE PARKS >>

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**ARTICLE 2. SKATE PARKS** <sup>[2]</sup>

Sec. 12-56. Definitions.

Sec. 12-57. Skate park regulations.

Sec. 12-58. Penalty for violation.

Secs. 12-59—12-60. Reserved.

**Sec. 12-56. Definitions.**

*Roller skate* shall mean any footwear or device that may be attached to the foot or footwear, to which non-metallic wheels are attached and such wheels may be used by the wearer for moving or propulsion, including but not limited to in-line skates commonly known as roller blades.

*Safety equipment* shall mean, at a minimum, legal or approved helmets, elbow pads and knee pads.

*Skateboard* shall mean all non-metallic wheeled objects, coasters, conveyances, or similar devices used for transportation or sport which are propelled by human power and which are not classified as bicycles or roller skates.

*Skate park* shall mean a public facility that is designed for use by persons riding skateboards or roller skates, and which is designated a "skate park" by the recreation manager.

(Ord. No. 05-5, § 1, 4-19-05 ; Ord. No. 07-1, § 1, 1-16-07 )

**Sec. 12-57. Skate park regulations.**

The following regulations shall apply for all skate parks:

- (a) No person shall use a skate park for uses other than for skateboarding or roller skating.
- (b) No person shall skateboard or roller skate without wearing the required safety equipment as posted at a skate park.
- (c) No person shall skateboard or roller skate when the skating surface is wet.
- (d) No person shall engage in profanity, reckless or boisterous behavior (including, but not limited to, tandem riding, pushing, horseplay and bullying) or any other activity that could endanger the safety of persons using a skate park or spectators.
- (e) Only skateboards and roller skates will be allowed to be used in a skate park. Prohibited devices include, but are not limited to, bicycles, scooters and any motorized device whether electric or gas powered.
- (f) No person shall use, consume or possess food, beverages, glass bottles or any breakable glass item on the skating surface.
- (g) No person shall place or utilize additional obstacles or other materials, including, but not limited to, ramps or jumps, at a skate park.
- (h) No person shall use, or be under the influence of, alcohol, controlled substances or illegal drugs while using a skate park.
- (i) No person shall enter the skating surface area of a skate park unless actively skateboarding or roller skating in accordance with these regulations.

- (j) No person shall use portable/personal stereos and headphones within a skate park or its perimeter.
- (k) No person shall have a dangerous weapon in his/her possession. Deadly weapons shall include, but not be limited to guns, knives, bats/clubs or martial arts weapons.
- (l) No person shall litter or place trash or debris in or on the skating surface. All trash shall be placed in a designated trash receptacle.
- (m) No person shall apply, or cause to be applied, any vandalism, including but not limited to graffiti, tagging, stickers or decals, to any facilities in the skate park.
- (n) All persons shall skateboard or roller skate only on the skating surface, and shall not skateboard or roller skate on the curbs, planters, benches, steps, railing, parking lot or driveways of a skate park or other city-owned area surrounding a skate park.
- (o) No person shall skateboard or roller skate at a skate park at any times other than those established as the hours of operation.

*(Ord. No. 05-5, § 1, 4-19-05 ; Ord. No. 07-1, § 1, 1-16-07 )*

### **Sec. 12-58. Penalty for violation.**

- (a) Any violation of the provisions of this article shall be deemed to be an infraction or misdemeanor at the discretion of the city attorney or district attorney, and punishable as such. The complaint charging such violation shall specify whether the violation is a misdemeanor or an infraction. Each day a violation of any provision of this article continues shall be a new and separate violation. Any person cited and convicted of three or more infractions of this article shall be permanently barred from the use of or entrance to a skate park.
- (b) In addition to the penalties so described, any police officer or other person authorized to issue citations shall have the authority to impound any skateboard, bicycle, scooter or roller skates of a person found violating this article. Upon impoundment of any skateboard, bicycle, scooter, roller skates as provided herein, the owner of such device shall be issued a receipt. Said receipt shall state the hours, location, time frame and manner for claiming the impounded skateboard bicycle, scooter, roller skates, as provided in subparagraph (1) and (2) of this paragraph.
  - (1) Upon presentation of the receipt, the owner may claim the impounded skateboard, bicycle, scooter, roller skates at the police department during business hours. If the owner is a minor, such owner may claim the impounded skateboard, bicycle, scooter, roller skates if accompanied by a parent or guardian. No fee may be assessed on the owner, parent or guardian.
  - (2) If the impounded skateboard, bicycle, scooter, roller skates is/are not claimed within sixty (60) days after the date of impoundment, the city may dispose of the item(s) by destruction or public sale at auction.
- (c) Any provision of this Code or appendices thereto inconsistent with the provisions of this article, to the extent of such inconsistencies and no further, is hereby repealed or modified to the extent necessary to effect the provisions of this article.
- (d) If any section, subsection, paragraph, sentence, clause, phrase or portion of this article is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this article.

*(Ord. No. 05-5, § 1, 4-19-05 ; Ord. No. 07-1, § 1, 1-16-07 )*

### **Secs. 12-59—12-60. Reserved.**

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#### **FOOTNOTÉ(S):**

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*Editor's note— Ordinance No. 05-5, § 1, adopted April 19, 2005 set out provisions intended for use as §§ 12-47—12-49. For purposes of clarity, and at the editor's discretion, these provisions have been included as §§ 12-55.1—12-55.3. [\(Back\)](#)*