

aspo planning advisory service

AMERICAN SOCIETY OF PLANNING OFFICIALS

1313 EAST 60th STREET — CHICAGO 37, ILLINOIS

Information Report No. 142

January 1961

FADS: KARTS AND TUMBLING CENTERS

Proud is the city--she finds a place for many a fad today,
But she's more than blind if she fails to find a place for the boys
to play.

--Denis Aloysius McCarthy
Give Them a Place to Play

In good times and in bad, Americans have an affinity for fads. The list of twentieth century attractions and distractions includes mah-jongg, bridge, and canasta, hula hoops, hot rods, and rock and roll, "Knock Knock", miniature golf, Scrabble, bowling, and many, many others. To a varying degree, each interested people, stimulated them, and provided a means of self-expression or a way to pass the hours.

This report looks at two activities which concern planning agencies: karting and rebound tumbling. These two are selected first of all because they are current fads. Secondly, inquiries from planning agencies to ASPO Planning Advisory Service indicate that municipal officials are asking planners for facts and advice about them.

This report begins with two premises: 1) that current fads, in particular those involving land use, are valuable to analyze in order to be better prepared for others that inevitably will follow; and 2) that we have had enough experience with fads to be able to deal with new ones when they present questions requiring public policy decisions.

These premises are not advanced without restraint. It must be recognized that each fad is inherently unique. A fad must be new if it is to make the grade with the American public. The qualities that attract us to it also tend to separate it from other fads which have gone before it. There has been a notable lack of success among imitators of the really popular fads.

They follow no particular pattern. Some appear, blossom, expand rapidly, and

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die just as quickly. A recent case in point is the hula hoop. Few households were not affected. However, it flourished for only two summers.

It is extremely difficult to tell whether a fad will fade or will linger on to become a part of the American scene. Among the more durable activities that started out as fads are miniature golf courses and driving ranges, now nowhere near their popularity peak, but still doing well commercially. Thus, one writes of fads with some trepidation; you cannot tell exactly where you are in the cycle -- whether the zenith is in the past or lies in the future, whether the craze will disappear or linger on.

Another element leading to restraint is the irregular distribution of popularity. Inhabitants of some places pick up the new with ease--California, particularly, seems to be open country. But people in other places seem unable to embrace anything that time has not tested. Several cities, for example, have outlawed karts, while at least one (Hope, Arkansas) has permitted a track to be built in a public park. Between these extremes are many possible responses.

Finally, the birth, growth, and span of any fad is likely to be influenced by many other factors: state laws, authority of local officials to act, economic conditions that favor or oppose the growth of the fad, and the applicability of laws in existence at the time the new and unique situations are introduced.

Recognizing these limitations, we nevertheless can set forth some general aspects of fads in relation to planning. While there are risks in trying to predict what will happen in any given community as a fad spreads, failure to meet the situation soon enough can be costly -- oftentimes a decision to do nothing (in the hope the fad will soon evaporate) proves dangerous.

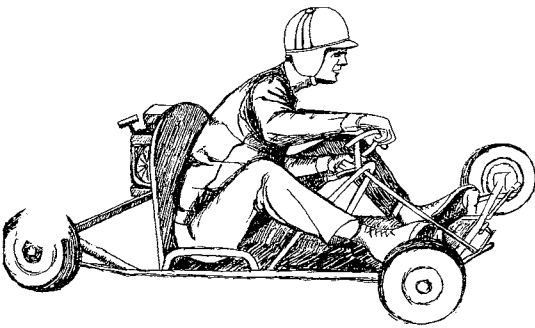
Of course, the majority of fads will never affect planners. Medical men may be alarmed by the physical damage they may cause, psychologists may interpret them as outlets for individual and group drives, economists may see in them new evidence of affluence, and oratorical clergymen may cite a particular fad as evidence of spiritual decay. But, the planning official is concerned with fads principally as they affect the character of land use. He is concerned also with safety, insofar as it is a matter of public concern. And, he is involved when the fad has a propensity to attract large numbers of participants and spectators --and their automobiles.

It is impossible to cover all eventualities or the infinite variety of circumstances in which fads will operate. Yet, even though the approach may be a general one, it can provide meaningful orientation for the planner suddenly asked for counsel. This is the hopeful goal of this report.

KARTS AND KARTING

A kart¹ is a low-slung vehicle made up of four small wheels, a metal frame, a gasoline engine, a seat, a steering mechanism, and control pedals. The engine

¹These miniature automobiles are known by many names, including "karts," "carts," and "go-carts."



is about equal in power to that used in a large lawn mower. Professionals in the sport of karting have been clocked at speeds of more than 50 miles per hour.

Karting, like so many of our leisure activities, is California born and bred. The first kart, historians of the sport say, was built in the summer of 1957. Since then, the fad has grown rapidly considering the fact that a kart is not a 98-cent item. It is popular in most parts of the country, although the majority of karting clubs appear to be concentrated at present in the warm weather areas of the west coast and Gulf states.

One indication of this growth can be found in mail order catalogues. All of the large houses featured karts in their spring editions ranging from as little as \$75 in kit form to \$200-plus, fully assembled. The amount of this catalogue space is three times what it was just a year ago.

The following description which appeared in the spring, 1960, issue of the Montgomery Ward general catalogue presents a succinct summary of what planners may face:

Every member of the family will get a kick out of riding this junior-size auto. It's the ideal way of teaching youngsters correct driving principles. Karting tracks are springing up throughout the country--if your community does not have one, organize your own club. Karts are not intended for street use--but any hard surface 25- x 100-ft. area can be set aside for a track for driving, races, time trials, etc.

This description of karting and its potential course of development should send planning officials scurrying to determine whether their zoning and other laws could deal with kart tracks. Note particularly that there is an emphasis on the small amount of ground needed, a characteristic that makes karting similar to the miniature golf craze of 1930's.

The assertion that "karting tracks are springing up throughout the country," is generally true. New Jersey is an exception; the stringent requirements of its automobile race track law have been held applicable to karting tracks, and even the karters have placed the state out-of-bounds.

Among the other indicators of karting's expansion are:

At least two magazines are devoted exclusively to karting. The most recent publisher's statements to the Post Office department, claimed paid circulation in excess of 60,000 each. Many automotive and hobby magazines also have featured articles on the sport in recent months.

A survey reported at least two dozen permanent tracks were operating by local kart clubs last fall and summer. The survey did not claim to be comprehensive.

There are three associations active in the field. These represent various combinations of manufacturers, operators of commercial karting tracks, and kart owners and clubs.

Reasons for Popularity

Why is karting popular? What are its features that attract a following?

While the individual's investment in a kart may range beyond \$200, a relatively low outlay is needed for the track itself. Airports, sections of automobile racing tracks, and similar places now are sites for karting tracks. Industrial and supermarket parking lots have been used. While it is unlikely that the 25 x 100-foot minimum listed in the advertisement above would be satisfactory to the true karting club for very long, there is a low level of demand for overall space. Problems such as those involved in finding a site to which karts can be carried conveniently, where the noise is not likely to bring down the wrath of the community, and where there is sufficient space for spectators are the barriers to the growth of karting.

A "togetherness" aura permeates the literature on karting. It assertedly is an activity in which father and son -- indeed, the whole family -- can engage in together. The family is encouraged to take an outing to the track on a Sunday afternoon. Some tracks sponsor "family days" on which higher powered karts are banned. Not the least controversial aspect of this argument is the assertion that karting presents the father with an opportunity to inculcate good driving habits in his offspring. This argument has been decried by one jurist who has been quoted as saying, "To put a five year old baby in a racing car does violence to the child's nature. I'll see these kids in court before they are old enough to get a driver's license." Nevertheless, it is apparent that the fledgling kart industry, plus magazine promotion, has done much to advance the image of karting as an activity for all but the smallest of children.

The opportunity for tinkering with a machine is present. There is something in karting that captures the zest of do-it-yourself that is present to some degree in hot-rodding and dragging with little of the disapproval sometimes associated with them. The practitioner can utilize his energies and mechanical talent adjusting and testing carburetors, attempting to coax a little more speed or mileage. Whether you start with a kit or a preassembled kart, the prestige in the karting fraternity is likely to come to those who have done the most successful tinkering.

There is an opportunity for competition among the kart clubbers. The sport also attracts those who seek an opportunity to test their driving and mechanical skills in competition. The associations sanction meets among young people only when the speeds are governed. But undoubtedly, one of the thrills that sustains karting is the opportunity to try to get somewhere faster than someone else.

Pattern of Growth

Because karting appears to be still in the early stages of development, an attempt to predict the future lines of growth or the intensity of its vigor is not without risk. At present, there are two general trends.

In some places, kart tracks have been set up on a commercial basis. Persons

walk in, pay a charge, and drive around for a stated number of laps. This activity does not differ from tumbling center operations. It is a business, pure and simple. In fact, it appears that some trampoline centers are opening kart tracks as a sideline, perhaps in the hope that karting will pick up any slack caused by a drop in public interest in "bouncing." In any case, the expansion is a logical one from a business standpoint. Although it must be noted that the character of the karting business is substantially different from that of the trampoline business, both can be characterized as "amusements." Tumbling centers and commercial karting tracks of this type are similar, too, in that they require little land, and a relatively low investment that can be recovered quickly, thus reducing the economic risk on what well may turn out to be a temporary fad. These circumstances have combined to place commercial karting and similar businesses in places such as shopping centers and fringe commercial areas along highways where they can attract the motoring trade.

The other development trend is the kart club track. Participants sponsor and arrange races and other competitive activities for their members and visiting karters. They attempt to find a track site. They function in such important areas as policing the sport and obtaining insurance.

The requirements for a track are not substantial. A solid dirt track, a few bales of hay at strategic points, a pit area -- this is the minimum. Some of the highly organized clubs have been able to secure sites that lend themselves to full development as tracks, places such as old airports. Some tracks have been paved, the cost of paving is small because the loads are light. Tracks range from as little as a quarter-mile to as much as a half-mile, but even these distances can be squeezed into small acreage; putting a large number of turns into the layout is encouraged.

There has been some tendency for young organizations to secure places such as parking lots at shopping centers and vacant land in semi-built up areas for part time use. However, objections from neighbors eventually lead to permanent sites in outlying areas.

The future of the sport, in long range terms appears to rest on its ability to build interest through clubs sufficiently large and well-directed to: 1) obtain tracks and 2) police participants so that problems, especially safety problems, can be kept within bounds. The fact that the individual karter must make an outlay of money and time would seem to encourage this condition; if he buys a kart he wants to be able to use it. Commercial karting tracks are not likely to sustain the manufacturing end of the industry forever. Club activity, on the other hand, with its relatively high personal commitment, can possibly carry the fad for some years to come.

Regulation

The question of whether to attempt prohibition of karting within the municipal or county boundaries, as with all new land uses, depends in part upon community acceptance of the new activity. Karts may be objectionable in a built up area near residential zones. In a city with plenty of open space and with sufficient buffers between kart tracks and homes, there may be few frictions. The point is that the initial response need not necessarily be prohibition, which

so often proved unsuccessful in the treatment of hot rods. (See ASPO Planning Advisory Service Report No. 74, Hot Rods, Car Clubs and Drag Strips, May 1955.

Yet, it must be observed that many municipalities would have the authority, were their officials so inclined, to completely exclude kart tracks. Where it has power to do so, a local government could probably kill off a fledgling kart group by requiring extremely rigorous track specifications such as those in New Jersey.

At least one municipal zoning ordinance in California bans all tracks other than those used exclusively for racing. This ban has been upheld in an appellate court test. Commercial tracks prohibit racing, in many cases, in order to qualify for insurance coverage at reasonable rates.

From the overall view, direct prohibition in built up areas may result in pushing kart clubs and commercial tracks into the urban fringe areas, thus delaying the time to meet the problem. Worse still, a karting track in an area ripe for development may help substantially to set the character of growth. Should karting become established as an accepted activity, planning agencies will be faced with a case in which no area wants an activity for which there is a pronounced public demand. This locational problem is similar to the case of automobile graveyards and garbage dumps -- both "undesirable" uses -- but for which some provisions must be made.

Regulatory problems involved in karting have arisen in three forms: safety, noise control, and land use control.

Safety. This aspect of karting has caused considerable public controversy. It appears to be the battleground on which karters and anti-karters will come to grips. The National Safety Council has come out strongly against both racing and the driving of karts by underage persons. In a policy statement adopted by its Traffic Conference in March 1960, the NSC says:

The National Safety Council opposes the use of miniature motor vehicles, commonly called carts, go-carts, by drivers below driver licensing age.

While the laws of all states exclude these miniature vehicles, designed primarily for use by children, from the public streets and highways, there is little control over their use on private property. As a result, children have been killed or injured operating these vehicles, sometimes in speed events sponsored by adults. Motor vehicle speed events of any type are opposed by the National Safety Council.

The Council therefore urges parents, dealers in these vehicles, and organizations to refrain from sponsoring or conducting competitive events using miniature motorized vehicles, and to do all possible to see to it that they are at no time operated by persons under legal driver age.

A representative of the American Kart Manufacturer's Association has responded:

Three karting fatalities during 1959 have been highlighted yet neither the athletic goods or bicycle industries are scored as being responsible for hundreds and hundreds of injuries and fatal-

ities despite decades of experience. Juvenile accident data fills many dreadful pages; the source of the problem can only be Delinquent Adults. . . . In attempting to determine the breadth and depth of NSC aid to automotive safety, we are reminded of the admirable hot rod movement with club standards of discipline and technical knowledge that may well exceed those of the homes and schools of attendees. We believe the NSC can claim no credit here, in fact opposing forces are believed to exist. The question then arises if the complexities of automotive safety can be solved by comprehensive research or by poster-pasting, finger-pointing, and Monday-morning-quarterbacking.²

It should be emphasized that there is universal agreement on one aspect of karting. That is, karts do not belong on the streets. These vehicles are so close to the ground that they are difficult to see when approaching head on, impossible to see when they pull up behind or beside a car or truck going in the same direction. Karts cannot be registered as motor vehicles in any state, and several state attorney-generals have made specific rulings to the effect that police may order their removal from the streets.

Undoubtedly, karting safety is controversial because of the fact that children of tender age can be and have been involved. This introduces some different regulatory considerations. The principle is accepted that laws for juveniles can be different in character and objective than for adults. Special municipal legislation imposing juvenile curfews is an example.

Then, too, local government's exercise of the police power can be aimed at promoting the safety of the public at large. Local laws have applied tests of safety in the cases of businesses catering to the general public.

These are essentially legal matters. Hence, the advice of the municipal attorney should be sought as to the permitted extent of authority to impose safety standards to this kind of activity. The specific measures which might be drawn are subject to state laws.

Thus, among the responses that a local government might make on a question of karting safety include: 1) prohibition, 2) special legislation covering juveniles, and 3) legislation covering matters such as safe separation of spectators from the track, handling and storage of fuels, minimum insurance coverage, mandatory safety equipment for the track, the karts and drivers, and so on. Racing may be banned at commercial tracks. (See Appendices A, B, and C.)

Noise Control. The editors of one karting magazine observe:

Throughout the country the biggest single public complaint against karting is that it makes so much noise. This factor, more than anything else, has driven karters out of built up areas, forcing them to relocate in remote, often inaccessible locations, frequently making it impossible to run at all. The pity of the thing is that all this is our own fault.

²Howard Barnes, "Karting Replies to the National Safety Council," Cars and Karts, August, 1960, pp. 53-54.

The argument against mufflers--that they lower the engine's power output--is a valid one, but it is certainly better to run with slightly less power than not to run at all. At the present time we know of no adequate muffler for kart engines. The company³ which introduces such an accessory should be sure of a wide market.

The karters' difficulties with noise control have evidently brought municipal anti-nuisance ordinances into play. Clearly, excessive noise can be a basis for complaint by distressed neighbors. It should be noted that there is usually some reluctance on the part of people to bring complaints; many police departments prefer not to act on their own initiative in this kind of situation. However, it appears that most kart clubs have given way when faced with substantial hostility from nearby residents or property owners when the latter have the law on their side.

The responses that a municipality may have here, then, are not necessarily based upon a choice between prohibition and sanction. Rather, the matter of noise control (apart from its relation to zoning which will be discussed later) is one of accommodation. For example, one city has limited commercial operations from 8 A.M. to 10 P.M. on weekdays, and from noon to 10 P.M. on Sundays. (See Appendix A for the conditions imposed by one planning agency on commercial tracks.)

Zoning. As "close neighbors," kart tracks are considered undesirable; as "distant friends" to visit, however, they are more and more in demand. Even the ardent karting enthusiast would frown on living across the street from a kart track--noise, traffic, and the negative effect on property values are the chief deterrents.

Determining the proper location of the go-cart site is a growing concern of the planner and zoning official. As the fad increases in popularity, some communities are faced with not one, but several karting establishments. In the absence of specific locational provisions in the zoning ordinance, karting tracks have been built in a variety of places, among them parking lots, amusement and public parks, rural highway intersections, residential areas, and industrial zones. With proper site treatment, the kart track can function well in some of these areas; however, they are clearly inappropriate, for others.

Some clues to the proper treatment of karting sites can be determined from the way analogous uses are zoned. Race tracks and drag strips share common features with karting tracks. All make noise, create safety problems, require parking facilities, and generate traffic. Usually race tracks and drag strips are zoned into least restricted commercial and industrial districts; in some instances specific conditions must be sent before a permit is granted.

Another parallel use is the drive-in-theatre, an amusement facility generating considerable traffic and creating a potential nuisance from noise and lights. One technique, used in a number of recent ordinances, is to treat the drive-in-theatre as a special use subject to special requirements. The Kansas City, Missouri, zoning ordinance (1951) has provisions for drive-in-theatres that indirectly relate to kart sites.

³Karting Sport, January, 1961, pp. 4-5.

1. A minimum land acreage figure is established.
2. Through siting arrangements, traffic congestion is kept to a minimum.
3. Lights used to illuminate the site are so arranged as to reflect light away from adjoining property and streets.
4. Parking space is provided in relation to the vehicular capacity of the theatre.
5. Theatre property is a certain distance from the boundary of a residential district.

Various principles for regulation of kart sites can be established.

Traffic. Providing access to major streets or highways will reduce traffic congestion in surrounding areas. Moreover, proper ingress and egress between the highway and spectator area should be provided.

Parking. The karting race track with spectator bleachers or grandstands requires off-site parking facilities. A standard of one parking space per three seats would be appropriate.

Noise. Noise control can be accomplished in either of two ways. Karts can be muffled, a technical problem the karting manufacturers have not as yet solved; or the karting site can be regulated to reduce noise interference to neighboring properties. In the latter solution the following techniques are applicable: restrict karting tracks to outlying, undeveloped areas; establish minimum distances between the track and nearby properties; fix hours of operation to reduce the nuisance effect; modulate or prohibit public address systems.

Safety. Pavement on the karting track should be smooth and in good condition to offer maximum safety to participants and spectators. Bulk storage of fuels and lubricants should be outside the go-cart roadway area.

The community which faces a go-cart invasion has several zoning alternatives. If it believes that karting is a fad, doomed to extinction in a few years, it may wish to issue temporary permits, renewable every few years and subject to stiff license fees. Considering the possibility that the fad may become permanent however, the community will eventually have to amend the zoning ordinance.

If it assumes that go-carts require special use treatment, appropriate and specific standards should be set up to guide the zoning board of adjustment or the zoning administrator. Considerations of traffic, parking, noise, and safety are essential.

Perhaps the easiest approach is to restrict karting tracks to least restricted commercial or industrial zones, with few conditions attached. In this way, the community decides that go-carts are nuisance uses and treats them accordingly.

TUMBLING CENTERS

Trampolines⁴ for many years were confined to gymnasiums. Rebound tumbling equipment was considered something for skilled athletes. Now, however, the sport is somewhat "old hat." After making a "public" appearance several years ago, it seemed to reach a high point. Recently, however, a press association reported a substantial drop in the number of tumbling centers operating in the Los Angeles area, where the fad began. This was prior to some medical authorities concern with the number of injuries suffered by Trampoliners.

Whether the Trampoline craze is actually waning, or just taking a breather before a bigger spurt, remains a matter for speculation. It is quite possible that Southern Californians are simply turning their attention elsewhere while the rest of the country catches up.

Reasons for Popularity

A Trampoline, a piece of resilient canvas spread over a shallow pit, or elevated by a supporting frame, requires some degree of skill in proper timing and muscular control. It has become a popular diversion attractive especially to children and teenagers. Many centers are located at shopping centers and thus provide entertainment for youngsters while their mothers shop.

A tumbling center customer buys time. The charge per unit of time is relatively small. Unlike club karting, the practitioner need not make an investment.

Pattern of Growth

The recent growth, unlike that of karting, has been almost entirely commercial. Centers developed at roadside commercial areas, similar to those which attracted miniature golf courses and driving ranges in the past.

The capital investment of the tumbling center operator is relatively small. One published estimate in 1959 indicated that the minimum outlay was about \$7,000, about half of which was for insurance. Despite this low investment, selection of a site is crucial. The operator must count on recovering his investment quickly, for the sport's popularity could evaporate quickly in the capricious shift of public interest.

There are many parallels with karting, apart from the fact that both have utilized shopping center parking lots. The most striking is the small amount of land needed for each facility. The problems are the same: safety, noise, and land use control. There is, however, little likelihood that tumbling clubs will emerge

Regulation

It is only recently that frowns have wrinkled the brows of medical men looking at bouncing and its effects. Some cities which ignored the activity as a com-

⁴Trampoline is a trade mark of the Nissen Trampoline Company registered with the United States Patent Office.

mercial one, not requiring regulation, found that people were being injured, with resulting complaints to city hall.

One planning agency reported:

Due to the overnight acceptance by the general public of this new type of recreational activity, we were flooded with requests to build these centers and had no regulations for the protection of the safety and welfare of the general public.

Several serious accidents occurred by reason of alleged dangerous methods of construction and installation; therefore immediate action was taken.

The municipalities have taken two approaches, both endorsed by the Trampoline Rebound Tumbling Association (the operators' trade association). However, it should be noted that many municipal regulations have been somewhat more stringent, particularly in relation to padding on equipment and the qualifications of supervisors, than the recommended legislation of the association.

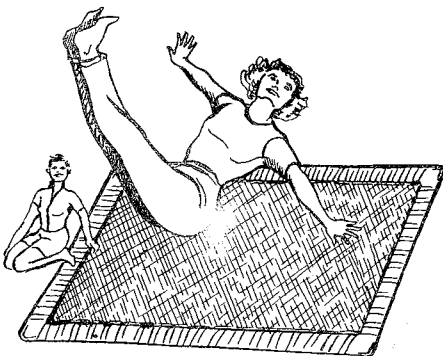
Construction. Standards have been established for materials to be used; support and placement of the trampolines; size and relationship to other trampolines at the center; kind and amount of padding to be used, and the like. (Typical provisions as contained in the ordinance of the City of Bakersfield, California, are shown in Appendix D.)

Supervision. The industry, through its association, has agreed that there must be supervision of participants. Several ordinances have specified that there be at least one supervisor on the premises for each unit of 12 Trampolines in operation. In some cities, the head supervisor (or one of the supervisors) must be at least 21 years old. It is sometimes specified that these supervisors be trained or proficient in the use of bouncing equipment. There must be a public address system so that over-energetic bouncers can be warned to restrain themselves. Some specifically require the operator to ground customers who are careless.

Related provisions require that certain resources be on hand: a telephone to call medical assistance if needed, a fence high enough to insure that people would not use the facilities after hours without the owner's permission, and adequate lighting if the center is to be used at night.

Zoning. Since tumbling centers are overwhelmingly commercial activities, their relation to zoning ordinances is clear-cut in most cases. There is, for example, no non-profit club aspect as there is in the case of karting. Yet there is the dilemma of characteristics which do not conform entirely to what was envisioned when the zones were established.

If located too close to residences, tumbling centers might be offensive in a way that stores would not be. They attract large crowds (some centers even provide bleachers for spectators). The use of a public address system at a shopping center introduces an entirely new characteristic. Many centers have a continuous program of canned music blowing through the P.A. system. Operation may terminate later than the stores at the center.



It is for these reasons that most cities permit tumbling centers in the least restricted commercial zones. A survey⁵ undertaken by the Albuquerque City Planning Commission, summarizing the practice and experience of other cities reported that the Los Angeles, California, zoning ordinance (1955) permits tumbling centers in the general commercial zone or other less restricted zones. The more restrictive commercial zones require that uses be conducted entirely within enclosed buildings and do not permit recreation or amusement enterprises.

The Phoenix, Arizona, zoning ordinance (1955) permits tumbling centers in the intermediate commercial zone by special permit after a public hearing has been held by the Board of Adjustment. The off-street parking plan must be approved by the city traffic engineer.

Centers are permitted in the most restrictive commercial districts in St. Louis, Missouri (1950); Reno, Nevada (1959); and Scottsdale, Arizona (date ?). At the time of the Albuquerque survey, Reno reported that no tumbling centers had been constructed. This lack of activity may have been, in part, caused by the requirements that a tumbling center operator must furnish. Commercial zone toilet facilities, fencing, drinking fountains, an office and equipment building, off-street parking, ground lights, and a 10 P.M. limit for operation are required by the city. Public address systems and lighting appeared to be problems in Scottsdale. The noise problem was solved through the installation of several small speakers similar to those at drive-in-theatres. These speakers are scattered throughout the center and controlled through the office. The lighting problem, however, has yet to be solved, according to the respondent. The city has recommended that a conical shield be installed over each light bulb in order to deflect light downward rather than outward.

In spite of such requirements, permitting tumbling centers in a restricted commercial zone seems to be a questionable practice. Their operating characteristics are not compatible to those uses normally considered permissible in neighborhood business zones.

Trampoline sales offices, however, present a different problem than the tumbling centers. Such offices with an outside display area have, in one instance, caused difficulties because of inadequate treatment of outdoor displays in the district regulations of a zoning ordinance. It is quite common for zoning ordinances to require that all uses in certain business zones be conducted entirely within enclosed buildings, or to require that all be conducted within enclosed buildings except certain enumerated uses that can scarcely be conducted indoors. The "conditions to use" for each of the commercial zones in the Fontana, California, zoning ordinance (1957) are unusually well defined.

"C-1" Neighborhood Commercial Zone: "All business, service storage or processing shall be conducted wholly within a completely enclosed building except the following: Automobile parking, off-street loading and gasoline pump islands."

"C-2" Community Commercial Zone: "...except "Automobile parking, off-street loading, gasoline pump islands, nursery stock, public utility structures and permitted amusement establishments."

⁵Report to Albuquerque City Planning Commission, June 6, 1960.

"C-3" Central Commercial Zone: same

"C-4" General Commercial Zone: ...except "Automobile parking, off-street loading, gasoline pump islands, permitted amusement establishments, hoists for servicing of automobiles, nursery stock, public utility structures, used car lots, equipment rental, trailer sales and rentals and other uses specifically approved by the planning commission."

CONCLUSIONS

The two activities discussed in this report have several common characteristics:

1. There is a low demand for land area, and land normally given over to other uses can be pressed into service. This is demonstrated by the fact that shopping center parking lots have been utilized by karters and Trampoliners.

2. Safety, noise, and land use control are major considerations.

It seems reasonable to conclude that any fad that presents problems for planners will be similar in nature. An examination of the kinds of marginal land use previously made to accommodate the public's interest in other activities (miniature golf, for example) will bear out this conclusion, we believe.

The planning agency should deal with a new fad on several grounds.

There must be a decision as to what existing zones may be used. For example, karting and Trampolines may create few problems in a large regional shopping center. However, the neighborhood shopping center, by its very nature, is too close to residential areas. Noise, traffic, and related problems must be examined carefully in each case. It therefore follows that zoning ordinances must provide review machinery which will permit consideration of the special uses involved in a new and popular activity. The conditional use permit procedure is a good one to use in such a case.

The planning agency must be aware of all community activities, even the more frivolous ones. This awareness must exist if the agency is to be able to recognize the areas requiring legislation, as in the safety requirements for Trampoline centers. Those communities which face the problems first will be at a disadvantage, of course, because they will have no examples from other cities to use. However, each city must make a critical evaluation early in the game so that supplemental legislation can be framed if any is found to be necessary.

Similarly, there must be an early evaluation of parking needs. There is little to guide the planning agency in setting up off-street parking regulations; it must improvise and attempt to predict a demand and set supply requirements. Some guidance may be obtained by observing peak hour parking demands, and keeping them on record for future use.

One of the best protections that a community has against these, or any future fads, is the permissive zoning ordinance. Under this type of ordinance, all

uses not specifically permitted in a zone are automatically prohibited. In a city with such an ordinance, there would have been no mention of a "kart track." Hence, it would have been prohibited until such time as the ordinance was amended to permit it, with proper safeguards. In such a case, if the decision of the city is not to permit kart tracks, it need take no further action.

APPENDIX A

EXCERPT FROM MEMORANDUM ON GO-CARTS, WICHITA-SEDGWICK COUNTY METROPOLITAN AREA PLANNING COMMISSION MARCH 1960

A local insurance agency stated that go-cart operations can be insured for bodily injury and property damage, but only under certain circumstances. These conditions center primarily on the construction and type of the go-cart itself and on the safety provisions provided for the spectators. Rudiments of the insurance requirements are incorporated in the conditions set forth later in this memorandum.

It appears that the proposed go-cart use is somewhat different in nature from the bulk of the uses either permitted in "R-1" or allowed as conditional uses. In general, all of these uses are quiet, free from excessive traffic generation, excessive dust, etc.

Considerable controversy has arisen in the city due to the operation of go-carts in the parking lot of a television studio and at an amusement park. The complaints arising from such use in these areas have come primarily from the residential areas nearby. Most of the complaints concerned:

1. Noise from the operation of the go-carts;
2. The traffic problems generated from the spectator interest in the sport.

The applicant has indicated that he intends to use the go-carts for recreational uses only and does not intend to allow racing or competition of any nature. If such use is permitted in a basically residential area, such as the "R-1" District, then it would seem appropriate to consider such conditions as are necessary to provide for the public welfare, privacy, and convenience; and to eliminate, insofar as possible, any nuisance which may be created by the operation of go-carts.

In view of the foregoing, the Planning Department suggests that the following conditions be considered:

1. Construction of a chain link type of fence at least four feet in height, mounted on no less than 5½ foot steel posts, such posts to be located at intervals no greater than sixteen feet apart, such fence to surround the go-cart roadway. Any gates in the fence shall be kept closed during the operation of any go-cart.
2. The go-cart roadway shall have at its outer perimeter, an adequate bumper guard (spring mounted bumpers, baled hay, or similar material) to stop or de-

flect go-carts which may be out of control.

3. All go-carts shall:

- A. Have bumpers of a non-metallic material;
- B. Provide proper seating for the occupant;
- C. Have a governor on the motor or engine which shall limit the speed of such go-cart to a maximum of 10 MPH;
- D. Provide a plastic safety helmet for the use of the occupant;
- E. Have a clutch drive mechanism. No direct drive go-cart shall be allowed;
- F. Have no engine or motor larger than $2\frac{1}{2}$ HP;
- G. Have a muffler in good condition to prevent undue noise;
- H. Be prohibited from having sirens or bells or other sound projecting device.

4. All bulk storage of fuels and lubricants shall be outside the go-cart roadway area and shall be stored in such manner as may be directed by the Fire Chief of Sedgwick County.

5. The hours of operation shall be only between 8 A.M. and 10 P.M. during week days and Saturday and between 12 noon and 10 P.M. on Sundays.

6. The go-cart roadway shall be so surfaced or treated as to prevent blowing dirt, sand and/or dust.

7. All lights shall be directed away from adjacent housing.

8. Ingress and egress to and from the spectator area shall be a roadway of at least 24 feet in width; surfaced or treated to prevent blowing dust, sand and/or dirt.

9. Signs advertising such operation shall be limited to 12 square feet in area, and the vertical dimension shall not be greater than twice the horizontal dimension nor less than half the horizontal dimension; and such sign shall not be illuminated by artificial light of any kind.

10. No public address system shall be permitted.

11. The sale of food and beverages shall be prohibited; except that soft drink and candy dispensing machines shall be permitted.

12. All vehicles operated on the track shall be owned by the holder of the conditional use permit.

13. No racing shall be permitted.

It is suggested that the above provisions are the minimum requirements for this type of activity; if it is to be compatible with the residential area in which it is located.

APPENDIX B

RENTAL TRACK SPECIFICATIONS UNITED STATES KART ASSOCIATION

Tracks operating as an amusement or on a "rental ride" basis shall be subject to the following rules:

PREAMBLE: The intent of the following specifications is to provide safe recreation. Compliance with these specifications does not bind the United States Kart Association, Inc., to accept any or all applications for membership. Obvious and/or unusual combinations of these specifications used to circumvent their intent will be cause for rejection.

These specifications do not apply to tracks constructed prior to June 1, 1960. Tracks constructed prior to June 1, 1960, as well as any others which do not specifically meet these specifications should make application to the Executive Director for special consideration.

TRACK SURFACE: The track should be a well graded surface of durable non-skid material treated to minimize dust. Either dirt or hard surface tracks are acceptable. The track should be free of holes, rough spots, clods and loose particles. Gravel surfaces are not permitted.

TRACK DESIGN AND LAYOUT: Both oval and road-type courses are eligible. Each type must be constructed and maintained to allow safe operation of karts and adequate spectator protection. Specific specifications are as follows:

OVAL COURSE:

A. TRACK LENGTH:

1. Minimum, 1/25 mile.
2. Maximum, 1/4 mile.
3. Measurement will always be made on the inside edge of the track and will continue around the track on the same edge.

B. STRAIGHTAWAY LENGTH:

1. Minimum, 50 feet.
2. Maximum, 200 feet.

C. TRACK WIDTH:

1. Straights:

Minimum acceptable, 16 feet.

Maximum acceptable, 34 feet.

Recommended width, 20 feet.

2. Turns should enlarge to a minimum, half way around, of 5 feet more than the straight width. The maximum acceptable width is 39 feet.

ROAD COURSE:

A. TRACK LENGTH:

1. Minimum, 1/12 mile.
2. Maximum, 1/4 mile.
3. Measurement will always be made on the inside edge of the track and will continue around the track on the same edge.

B. STRAIGHTAWAY LENGTH:

1. Minimum, 50 feet.
2. Maximum, 300 feet.
3. The maximum straightaway on a given course must always be preceded by a turn of 90° or more degrees.

C. TRACK WIDTH:

1. Minimum acceptable, 16 feet.
2. Maximum acceptable, 34 feet.
3. **Recommended width, 20 feet.**

WIDTH EXCEPTION—Oval and Road Courses: On rental tracks where possible it is recommended that an additional 10 feet of width be available on the main straightaway for the purpose of starting and stopping riders.

TRACK PITCH: Measured across the width of the track the maximum pitch permitted is 2 degrees, except on turns where the track may be banked a maximum of 1" per foot of track width. Minimum pitch is 0 degrees. Pitch when used must always be from the inside to the outside of the track surface. Flat tracks with no banked turns are strongly recommended.

TURNS: Radius maximum is unlimited. The minimum inside radius allowed for a road type course is 10 feet. The minimum inside radius allowed for an oval course is 15 feet. A minimum of one turn for every 250 feet of total track length is required on road courses. Sixty degrees change of direction is the minimum degree of change to qualify as a turn.

OPPOSING SECTIONS: A minimum of 25 feet (10 feet where kart speed is limited to a maximum of 12 MPH) must be maintained between sections of the course where karts are traveling in opposite directions except where such sections are no longer than 20 feet AND precede and follow a turn.

PIT—ENTRANCE AND EXIT:

WIDTH: Minimum, 10 feet.

Maximum, width of track.

LOCATION: The pit entrance and exit must enter and leave the course at points out of the normal running path and at the slowest portion of the track that is practical. Pit entrance and exits must always be on the outside of the track.

SAFETY APRON: A minimum safety area 20 feet (10 feet where kart speed is governed to 12 MPH) wide must be maintained around the entire track on all sides except in areas where the track is parallel to the perimeter in which case the safety apron may be reduced to ten feet. Tracks with less than these minimum safety areas will require special inspection and although slight variance will be considered, the rental kart classes permitted on the track may be restricted.

This area must be free of ditches, holes, trees, and all other obstacles and must be graded flat with the exception of a one degree maximum for drainage. Where natural land areas lend themselves to it, a maximum positive grade of 10 degrees is permitted, however, it must blend at junction of the track with a smooth, shallow radius. This surrounding area should also be graded flush with the edges of the track and preferably seeded or paved. Dusty conditions are not acceptable.

Necessary timing, official stands and/or safety equipment should be placed at a distance of 10 feet off the course (minimum of 5 feet) and protected by hay bales placed two feet

away from and around the obstacle. Other than this protective measure, no hay bales, railing, walls, tires, pylons, etc., will be permitted in the safety apron *except* where a fence is within fifty feet of the outside of a turn, hay bales shall be placed two feet from the fence.

PIT AREA:

1. If a paved track is used, this area should also be paved. Dusty conditions are not acceptable.
2. An area of 8'x10' per kart is recommended (4'x5' minimum). Overcrowded conditions are not acceptable.
3. One-way traffic only on 10 foot minimum wide lanes.
4. An area should be provided so that track personnel do not stand in the pit lanes.

FENCING: The entire outside of the safety apron around the track proper must be fenced by a 4 foot high fence with posts on 10'-0" centers (maximum centers acceptable—12 feet). Posts must be on the outside of the fence. Snowfence with 2" lath spacing and/or galvanized welded fabric type fence with 16 ga., 2"x2⁵/₈" mesh is acceptable. Chain link fence 9 ga., 2" mesh is recommended. 16 ga., minimum wire size is required and 4" opening is the maximum permitted. A solid wood fence is also acceptable. Other types of fence will require special inspection.

The entire pit area must be enclosed and separated from the track and spectator areas by a fence of the type specified above.

SPECTATOR AREAS:

1. A safe area for spectators, parking, concessions, etc., must be provided and separated from the track and pit areas by a fence as described above.
2. Spectator bleachers or stands, if any, must be safely constructed and erected under A.S.A. Code Z 20., "Standards for Places of Outdoor Assembly, Grandstands and Tents."
3. Uniformed and/or easily identified ushers or attendants must be on duty to control spectators, parking, etc.

LIGHTING: The general and track lighting should be adequate and so designed for good visibility on the part of the drivers as well as spectators. A minimum candle power of 10 foot-candles is required. A candle power of 20 foot-candles is recommended. Location should be such that glare in the driver's eyes is reduced to a minimum. The base of poles should be on the outside of the fence. **Exception:** Where necessary for adequate lighting, base of poles are permitted on the inside safety apron provided said poles are located a minimum distance of 20 feet from the track surface and protected by hay bales to a height of 42 inches from the ground and 2 feet from the pole.

MAXIMUM SPEED: By Class

Class 1	12 MPH
Class 2	20 MPH
Class 3	28 MPH

1. A method must be used by the owner and/or operator of a rental track to ascertain that kart operators are not only a minimum of eight years of age but also must be able to successfully operate all controls. The track owner or operator *must* employ a method to determine a minimum acceptable size for the kart operator. (Disneyland has used the following method with success. "A horizontal bar is fixed at the minimum height requirement. A sign is used with the following statement: If you can walk under here without bumping your head, you are too small to drive on this track.")
2. **Drivers Speed:** (Maximum) Ages 8 through 10 years, 12 MPH; ages 11 through 12 years, 20 MPH; 13 years and over, 28 MPH.
3. **Rental Kart Specifications:**
The minimum requirements are:
 1. **WHEELBASE.** Maximum 50 inches: minimum 40 inches as measured from the axle centers. Kart maximum overall length 72 inches.
 2. **TREAD WIDTH.** Minimum of two-thirds the measurement of the

wheelbase. One inch tolerance on front tread only.

3. **HEIGHT.** Maximum of 24 inches measured at center of seat back.
4. **TIRE SIZE.** Maximum 12.5 inches, minimum 9 inches, of a type incorporating a pneumatic tube.
5. **WHEELS.** To incorporate bearings of ground ball or roller type only, unburnished split race bearing not allowed.
6. **AXLE ENDS.** Must be cotter-keyed or safety wired.
7. **FRAME.** All metal. On rental karts where the speed is governed to a maximum of 12 MPH, there may be a body shell located above the wheel centers constructed of a plastic or metal material.
8. **FIREWALL AND FLOOR PAN.** Metal firewall between driver and engine. No void is allowable in either the floor pan or firewall.
9. **STEERING.** Must be direct and of a suitable design for maximum safety. Linkage bolts and nuts must be cotter-keyed or safety wired. Metal only. All rod ends must be universal type swivel joints.
10. **ENGINES.** Two or Four Cycle. All engines must be mounted behind the driver.
11. **GEAR BOX.** No type of gear box or selective transmission which permits the changing of gear or sprocket ratios while the kart is in motion allowed.
12. **BRAKES.** All karts must have pedal operated brakes working in such a manner as to brake both rear wheels equally and adequately.
13. **EXHAUST SYSTEM.** Exhaust systems must be such that exhaust

- gases are carried away from and rearward of the driver.
14. **FUEL AND LUBRICATION** systems must be so designed as to prevent leakage or spillage.
 15. **NO APPENDAGE** to the forward, rearward or side part of the kart *which constitutes a hazard to other karts or drivers will be allowed.*
 16. **THROTTLE.** Rental karts must be equipped with a foot operated throttle with self returning spring.
 17. **Off and On IGNITION SWITCH** within easy reach of the driver and in front of the firewall is mandatory on all rental karts, family day and novice karts, and fun cars. All engines so equipped must have a protective rubber covering on the end of the spark plug.
 18. **CHAIN GUARD.** All karts must be equipped with adequate chain or belt guards designed in such a manner as to reduce the possibility of personal injury.
 19. **DRIVERS COMPARTMENT.** All karts must be equipped with side rails, being a minimum height of 4 inches above the seat.
 20. **FUEL TANKS.** Must be mounted in back of the driver, and must be so fastened, protected, and contained that they will not become loose, subject to puncture, or cause an undue hazard to the driver or others on the track.
 21. **REAR BUMPER.** Is mandatory and must be so constructed and configured that it will not become easily hooked with another kart. The minimum tubing requirement is 1" diameter, 14 gauge. The bumper must be so designed as to prevent contact by other karts or obstacles with the engine and/or gas tank.
 22. **FRONT BUMPER.** Is mandatory and must not extend beyond the outside edge of the front tires. Its design and configuration shall, like the rear bumper, be such that it will not become easily hooked with another kart. It shall provide protection for the tie rod area. The minimum tubing diameter is ½".
 23. **ROLL BARS.** Not allowed, **EXCEPTION** unless kart is governed to a maximum speed of 12 MPH and is equipped with a metal or plastic body shell which completely encloses the driver.
 24. **SEAT BELTS.** Not allowed, **EXCEPTION** unless kart is governed to a maximum speed of 12 MPH and is equipped with a metal or plastic body shell which completely encloses the driver.
 25. All of the above specifications are minimum only and each kart, its construction, or any part of the kart or its construction is subject to approval by the United States Kart Association.
- GENERAL OPERATION:** The following rules apply:
- * 1. Indemnity and waiver agreements should be signed by all persons using a Rental Track on a "family day" basis. USKA recommends that these agreements be used on any and all Rental Track operation.
 2. No competition shall be scheduled, advertised or conducted.
 3. Helmets should be worn by all drivers on class 1 and 2 tracks. **Helmets are mandatory on class 3 tracks.**
 4. Karts *other than* Fun Cars may not be operated while Fun Cars are on the track, unless specifically governed to a maximum speed of 12 miles per hour.

*See Page 10

5. On Family Days, *drivers* and *karts* must be specifically regulated in classes as specified under "Driver's Speed Maximum."
6. The entire track must be clearly visible from the starting line.
7. The number of karts allowed on the track at any one time shall be as follows:

OVAL COURSE—Maximums—Class 1 and 2.

1. 1/25-1/12 Mile—Four Karts (Minimum Track Width 16' Straights, 20' Curves)
2. 1/10-1/8 Mile—Eight Karts (Minimum Track Width 16' Straights, 20' Curves). On Class 3 Tracks, the maximum is six karts.
3. Over 1/8 Mile—Ten Karts (Minimum Track Width 20' Straights, 24' Curves). On Class 3 Tracks, the maximum is eight karts.

ROAD COURSE—Maximums—Class 1 and 2.

1. 1/12 Mile Rental Road Course—Six Karts (Minimum Track Width 16' Straights and Curves)
2. 1/10-1/8 Mile Rental Road Course—Ten Karts (16' All Around—Minimum 4 Curves). On Class 3 Tracks the maximum is eight karts.
3. Over 1/8 Mile Rental Road Course—16' Minimum Width. One Kart per 100 Feet. Maximum Twelve Karts. On Class 3 Tracks the maximum is Ten Karts.

SAFETY EQUIPMENT:

Fire extinguishers of the CO₂ or dry chemical type must be provided. A minimum of two extinguishers per track is required.

A fully equipped first aid cabinet must be on the premises at all times.

The above specifications are minimum and are subject to change and modification without notice. They are intended for use on all USKA member tracks. Applications will be considered from existing tracks (constructed prior to June 1, 1960) which do not specifically meet these specifications.

APPENDIX C

SELECTED OFFICIAL COMPETITION SPECIFICATIONS AND PROCEDURES UNITED STATES KARTING ASSOCIATION

Many of the provisions for rental tracks are also in force for competition tracks. Following is a selected list of provisions, related to safety, which differ from those listed in Appendix B. Omitted are: 1) provisions which are identical; 2) specifications for karts; and 3) specifications for signal flags and similar equipment to be used during races.

Track Specifications

Oval Course:

1. Track Length: minimum, 1/12 mile; maximum, 1/8 mile.
2. Straightaway Length: minimum, 110 feet; maximum, 200 feet.

Road Course:

1. Track Length: minimum, 1/12 mile; maximum, 1 mile.
2. Straightaway Length: minimum, 50 feet; maximum, 350 feet.

Track Width: The width must be uniform around the track, except on turns of 90 degrees or more where the inside radius is 15 feet or less, in which case an additional 5 feet is acceptable.

Turns: The minimum inside radius for an oval course is 35 feet.

Pit Areas

It is permissible, for long distance races, to have a pit area adjacent to a straightaway. The pit activity must take place a minimum distance of 20 feet from the nearest edge of the track.

Entrance. The entrance between the course and pit area must contain some form of speed reducing factor either by relation to the track or the design of the exit itself. A line clearly visible to each driver, must be drawn across the pit entrance and exit. Drivers entering the pit area from the track must stop at this line, turn engine (or engines) off and push their karts to their respective positions in the pit area. Drivers leaving the pit area must push their karts to this line before starting the engine (or engines). There will be no exceptions to this rule. Pit entrance and exits must always be on the outside of the track unless access over or under the track is provided.

Safety Apron. The minimum safety area is 35 feet, except that it may be reduced to a minimum of 20 feet where the track is parallel to the perimeter area. Timing, official stands, and/or safety equipment should be placed at a distance 20 feet off the course (minimum of 10 feet).

Pit Area. In addition to the requirements in Appendix B:

1. One driver and two pit personnel, or a total of three persons per kart is the maximum number of persons per kart in the pit area.
2. As differentiated from the pit area (where karts are kept between events) a working pit area is permitted parallel to the track proper, where karts may be serviced during long distance events. It is mandatory that the entrance to this area be not less than 10 feet wide, with a minimum change of direction of two 45 degree turns, and a maximum inside radius of 15 feet. Each kart in an event using this type pit must have a pit 8 feet by 10 feet.

Race Procedure

Officials: All officials must be qualified and familiar with all rules and regulations.

1. Chief Steward. That official having charge of all other officials and the race itself.
2. Pit Steward. That official having charge of the pit area and any officials working in this area. He shall keep all unauthorized personnel out of the area, assign the pits, and report any irregularities or violations to the Chief Steward.
3. Starter. That official having complete charge of the flags. He shall follow instructions from the referee. His flag signals are to be obeyed without exception. The starter shall conduct a meeting for all drivers prior to the start of an event to explain the flags, their use, and rules of the road.
4. Referee or Course Marshal. Shall be that official having complete charge of the karts while on the track. He shall disqualify (through signals of the Starter) any driver who, in his opinion or that of his observers, is in violation of the rules or whose kart is or has become unsafe to operate. He is also in charge of the observers.
5. Observers or Field Flag Men. Strategically located around the course will report any rule infractions, etc., to the Referee. Observer will use the yellow flag (reduce speed) when necessary to signal drivers on his portion of the track. On oval courses a minimum of two observers (one each turn) is required. On road courses it is recommended that there be a minimum of one observer per 250 feet of total track length, except where opposing or switch back sections can be adequately served by less than this number. However, in no instance, may there be less than two observers.

Technical Inspection. All karts must pass a rigid pre-race inspection, including the following items:

1. Design. Each kart must meet all specifications of the United States Kart Association and the affiliated club sanctioning the competition.
2. Brakes. Linings, adjustment -- working condition.
3. Steering and suspension.
4. Chain guard.
5. Tires.
6. Exhaust system.
7. Fuel system.
8. Chassis.
9. Wheel bearings.
10. Any other safety feature at the discretion of the track officials.

Foul Driving. Foul driving, unnecessary bumping, unnecessary crowding or chop-

ping, etc.; the driver to be given the black flag (stop on next lap).

Number of Karts. The maximum number of karts permitted in any one race shall be limited to:

1. Oval Courses -- one kart per 40 feet of total track length.
2. Road Courses -- one kart per 65 feet of total track length.

Fuels. Five gallons of fuel per kart is the maximum amount permitted in the pit area, and the same must be contained in an approved type safety can. . . . Absolutely no smoking is permitted in the pit area.

Safety Equipment.

1. An emergency vehicle, preferably with a stretcher, having full emergency privileges, must be on hand during each and every racing program.
2. A physician or qualified attendant and first aid kit must be present during all racing events.
3. Fire extinguishers of the CO₂ or dry chemical type must be provided for each observer location. In addition, there must be a minimum of two in the pit area.

APPENDIX D BAKERSFIELD, CALIF. TRAMPOLINE ORDINANCE

AN ORDINANCE REGULATING THE CONSTRUCTION, OPERATION, MAINTENANCE, SUPERVISION AND USE OF TRAMPOLINE CENTERS, AND REGULATING THE ISSUANCE AND REVOCATION OF PERMITS AND LICENSES THEREFOR; REQUIRING SUPERVISION OF SUCH CENTERS; ESTABLISHING A MINIMUM AGE FOR USERS OF TRAMPOLINES AND REQUIRING PROPRIETORS OF SUCH CENTERS TO CARRY INSURANCE.

WHEREAS, there now exists within the City of Bakersfield no Ordinance establishing or prescribing any safety rules or regulations for the protection of the safety and welfare of the general public in its use of the facilities now offered by, and to be immediately offered by, the newly established and recently developed commercial business of maintaining and operating trampoline centers as in this ordinance more particularly defined and designated; and injury to members of the general public have already occurred by virtue of the dangerous method of construction and installation of trampolines and by the dangerous, negligent and unregulated method of operation thereof in areas adjacent to the City; and unless immediate safety rules and regulations are enacted by this legislative body for the control and elimination of such dangerous methods of construction, installation and operation, the otherwise unregulated construction, installation, maintenance and operation of trampoline centers for the use of the general public will constitute a severe and immediate and continuing hazard to the public health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Bakersfield, as follows:

SECTION 1

REGULATION OF TRAMPOLINE CENTERS

UNLAWFUL OPERATION. It shall be unlawful for any person, firm, partnership or other association of individuals, or corporation to do or cause to be done directly or indirectly, any of the following acts, to-wit: (a) construct, install, maintain or operate any trampoline center unless and until a permit for such maintenance and operation has been issued in accord with the provisions of this Ordinance, (b) construct, install, maintain or operate any trampoline center otherwise than in accord with the regulations prescribed by this Ordinance.

SECTION 2

DEFINITIONS. As used in this Ordinance the following words and phrases are defined as follows:

(a) "Trampoline": Any trampoline, rebound or recoil tumbling mat or net, bounce-mat or bounce-net, or any similar rebound or recoil device or apparatus of any type of construction or installation designed for use or used by any person for bouncing, springing, acrobatic tumbling, gymnastic activity, or any other amusement, recreational or athletic purpose;

(b) "Trampoline center": Any recreational, amusement or athletic facility open to the use of the general public within or upon which any trampoline is installed, maintained or operated for such use and irrespective of whether or not a change is made for the use of any trampoline within or upon any facility;

(c) "Authorized officer": The Chief Building Inspector of the City of Bakersfield or any employee of the Building Department of the City acting by and with the authority of said Chief Building Inspector;

(d) "Permit": A permit to maintain and operate a trampoline center issued under the provisions of this chapter and which permit shall

be separate and distinct from any other business license or permit which may otherwise be issued for the conduct of any business other than that of a trampoline center, and shall be in addition to any business license required for the conduct of said business within said city.

(e) "Operator": The individual in control of the management and operation of a trampoline center, or any person acting by and with the authority of the person so in control.

(f) "Proprietor": The owner of the business of maintaining and operating a trampoline center.

(g) "Open to public use": Any trampoline which by permission of the proprietor or operator is used by, or subject to the use of, any member of the general public, or restricted to the use of any members of any firm, association, club or organization. Nothing herein contained shall be construed to prevent the operator at his discretion from at any time restricting the use of one or more trampolines on any trampoline center to the use of members of any firm, association, club or organization, whether or not said trampoline center is at the same time open to public use.

SECTION 3

APPROVAL OF PLANNING COMMISSION. The authorized officer shall not approve any application and the Tax and License Collector of the City of Bakersfield shall not issue any permit under the provisions of this chapter until the application is approved by the Planning Commission of the City of Bakersfield, or is a use expressly permitted by the Zoning Ordinance of the City of Bakersfield. Such approval shall be given by said commission only if and when, to the satisfaction of the commission, the application complies in all respects with all land use and planning regulations of the City of Bakersfield.

SECTION 4

APPLICATION FOR PERMIT.

(a) Application for a permit shall be made in writing to the authorized

officer upon such form as shall be prescribed by him subject to the provisions of this chapter, and to the City Manager, upon such form as shall be prescribed by him.

(b) The application shall be made and signed by the Proprietor or his duly appointed agent and shall bear a certification or a declaration as provided by Section 2015.5 of the Code of Civil Procedure of the State of California.

SECTION 5

CONTENTS OF APPLICATION.

(a) Upon the application the applicant shall specify the following:

(1) Location of the proposed trampoline center;

(2) Land use zone in which the location is situate;

(3) Name and address of the principal place of business of proprietor;

(4) Proprietor's business structure, whether individual, corporation, partnership, association, etc.;

(5) Name and address of the proprietor and of the operator;

(6) Name and address of the owner of the real property upon which the trampoline center will be located;

(7) Proprietor's interest in said real property;

(8) Nature of installation, viz. (i) open ground; or (ii) enclosed within roofed building or other structure;

(9) Number of trampolines to be installed and operated.

(b) The application form shall contain a statement which shall precede the certification or declaration provided for in Paragraph (b) of Section 4 and all statements to be filed with the Chief Building Inspector shall, in addition to the foregoing, contain the following words: Attached hereto and made a part of this application by specific reference are the plans and specifications of the proposed trampoline center.

SECTION 6

PLANS. (a) Applicant shall attach to and file with the application to the Building Inspector detailed plans and specifications; each

sheet of which shall be identified by the signature of the applicant.

(b) The authorized officer shall not receive or file any application unless or until said plans are attached thereto.

(c) All plans shall be drawn to scale of a ratio of not less than one-eighth inch to the foot.

(d) The plans shall detail all construction and installations in and upon the trampoline center with respect to all of the following:

(1) Ground-plan or floor-plan layout which shall clearly indicate all the following:

(i) Size and location of all trampolines; size shall be indicated by the overall dimension of the frame of the trampoline;

(ii) Size and location of all padding covering the framework of all trampolines;

(iii) Location and height of all fences, walls or other barricades or partitions in or upon or enclosing the trampoline center;

(iv) If the center is installed within the enclosure of any building, the floor-plan shall indicate by notation thereon the net overhead distance between the mat or net of the trampoline and the ceiling or roof overlaying the same;

(v) Location and height of all poles bearing illumination fixtures;

(vi) Course and minimum height of all overhead electric wiring with indication of all voltage carried thereby;

(vii) Size and location of any ticket office, observation booth or any other building or structure of similar use;

(ix) Size and location of all benches, chairs, settees, lounges, tables, counters, bleachers, grandstands or other furniture or installations for the seating or other accommodation or use of any person;

(x) Size and location of all entrances and exits;

(xi) Size and location of all off-street parking;

(xii) Layout of public address

to enable him to determine compliance with the provisions of this chapter;

(x) Whenever any manufacturer's specification is on file with the authorized officer reference to same may be made by manufacturer's name and model number or name or other particular designation and without further specification; if manufacturer's specification is not on file with the authorized officer the applicant may file same with said officer and thereafter make reference to the same as hereinbefore provided.

SECTION 8

ACTION UPON APPLICATION.

(a) - The authorized officer shall forthwith transmit the application to the Planning Commission for its consideration of the propriety of the application with respect to all land use and/or planning regulations of the City of Bakersfield within the jurisdiction of said commission. The commission shall either approve or disapprove the application in conformity with such regulations and jurisdiction. If the commission rejects the application upon grounds of failure to comply with such land use or planning regulations, the commission shall forthwith endorse such rejection upon the application and return the same to the authorized officer and thereafter the authorized officer shall take no further action upon the application other than to advise the applicant of such rejection by said commission.

(b) If the Commission approved the application with respect to the administration of land use and planning regulations within its jurisdiction it shall forthwith approve the application and endorse its approval thereon and return the application so endorsed to the authorized officer.

(c) Upon receipt of any application so approved by the planning commission the authorized officer shall thereupon consider said application in all other respects as required by this Ordinance and shall endorse upon the application either (1) his approval of the plans

and specifications; or (2) his rejection of the same.

(d) If the plans and/or specifications do not comply in all respects with the construction and installation requirements provided by this Ordinance, the authorized officer shall reject the application.

(e) If the application is rejected by the authorized officer under the provisions of Paragraph (d) of this section, he shall state in writing to the applicant the reasons for such rejection; in the event of any such rejection upon the ground of the failure of the plans and/or specifications to comply with the requirements of this Ordinance, the applicant may amend the same to comply with such requirements and the authorized officer shall thereafter consider any such amendment and shall act upon the application, as amended.

(f) Upon the approval of any application, one copy of the plans and specifications, and any amendment thereto, shall remain on file in the office of the authorized officer.

SECTION 9

ISSUANCE OF PERMIT. (a) Upon approval by the authorized officer of the location and the plans and specifications he shall endorse his approval thereof, and transmit said approval to the City Manager who shall thereupon issue a permit to the applicant.

(b) The applicant may thereafter file said application with the Tax and License Collector of the City of Bakersfield; at the time of such filing the applicant shall pay to said officer the fee required by the License Ordinance of the City.

(c) Upon the filing of such approved application and the payment of such license fee, the Tax and License Collector shall issue to the applicant a license for the operation and maintenance of a trampoline center as described and delineated upon the plans and specifications filed with application and which plans and specifications are on file with the authorized officer.

SECTION 10

LICENSE. (a) The license shall

be in such form as shall be prescribed by the Tax and License Collector.

(b) All licenses issued under the provisions of this chapter shall expire at the close of the 31st day of December of the year of issuance.

(c) No license issued hereunder shall authorize or permit the operation of any trampoline center except in accord with the plans and specifications thereof on file with the authorized officer.

SECTION 11

AMENDED PERMIT. (a) No permittee shall construct, install, maintain or operate any trampoline center except in accord with the plans and specifications filed with the application and upon which the permit has been issued.

(b) Any permittee desiring to alter the design, construction or installation of any trampoline center for which a permit has been issued shall make application for such alteration in the same manner as upon an original application and thereafter all proceedings shall be taken and had as upon the original application.

SECTION 12

RENEWAL OF LICENSE. A license issued hereunder may be renewed by the permittee upon application to the Tax and License Collector; application for such renewal shall be in such form as prescribed by said Tax and License Collector and may be made on or after the 1st day of December of the year of issuance of the permit to be renewed.

SECTION 13

PERMIT FEES. (a) The Tax and License Collector of the City of Bakersfield shall charge and collect in advance the fees prescribed in the License Ordinance of the City for similar types of business.

SECTION 14

CONSTRUCTION AND INSTALLATION REGULATIONS. (a) As used in this section the terms "approved type" or any connotation thereof shall refer to approval by the authorized officer of the City of Bakersfield.

(b) Construction and installation regulations are prescribed as follows:

(1) Measured from the inside dimension of the frame, the minimum distances between trampolines shall be: End-to-end (longitudinal): 4 feet; Side-to-side (lateral): 4 feet.

(2) All trampoline frames shall be completely and securely covered with padding of approved type construction and dimension.

(3) No structure or any part thereof, and no other object of any kind or description, except trampoline frame padding, shall be erected, placed or maintained on the surface of the ground and/or floor of any trampoline center within any of the following distances measured from the outside dimension of the frame of any trampoline to-wit:

(i) Within an extension laterally of the end-lines of the frame of the trampoline: 6 feet;

(ii) Within an extension longitudinally of the side-lines of the frame of the trampoline: 6 feet;

(iii) Upon an extension of the diagonal between opposite corners of a trampoline: 2 feet.

(4) Any ceiling, roof or other covering overlying any trampoline shall be not less than 15 feet above the mat or net of the trampoline;

(5) With reference to any pit-type installation of any trampoline, the pit shall be excavated, constructed and maintained to provide a shelf or ledge beneath all springs, elastic bands or other recoil or rebound mechanism attached to the mat or net and which shelf or ledge shall be positioned and dimensioned as follows: not less than 12 inches nor more than 16 inches below such springs, elastic bands, recoil or rebound mechanism and of a width sufficient to extend laterally below all of such springs, elastic bands, recoil or rebound mechanism less 2 inches outside and below the perimeter of the mat or net. All other portions of the pit beneath the mat or net shall be excavated, constructed and maintained to a depth of 36 inches with a downward side and end slope of

approximately one-to-one from the inner edge of such shelf or ledge.

(6) All trampolines other than pit-type installations shall be firmly secured to the ground or floor.

(7) Any ticket office, observation booth or other structure of similar purpose and use shall be designed with sufficient sash and/or sash-and-door combination to provide to any occupant of any such structure a clear and unobstructed view of the entire trampoline center.

(8) Any trampoline open to public use between the hours of one hour after location sunset to one hour before location sunrise shall be illuminated with a light intensity of not less than 5 foot-candles at the level of the trampoline mat or net, and all electroliers or light poles shall be padded from the ground to a height of 5 feet.

(9) Any provision of any ordinance of the City of Bakersfield to the contrary notwithstanding, there shall be installed and maintained upon every trampoline center a public address system of sufficient capacity, design and volume to provide at all times a voice-transmission clearly audible to all persons within and upon the trampoline center. Such public address system shall be operated at all times for the primary purpose of directing and controlling the activities of all persons within and upon the center. The operating sound-level of such public address system shall at no time exceed 20 decibels measured at 50 feet at any point beyond the perimeter of the trampoline center.

(10) The perimeter of all of a trampoline center, excluding that part thereof provided for off-street parking, shall be enclosed with a fence approved by the planning commission.

(11) As an integral part of every trampoline center there shall be provided an area for the off-street parking of motor vehicles the parking capacity of which area shall be one adequate parking space for each trampoline installed within or upon the trampoline center. Adequate areas of ingress and egress shall be provided for each parking space. All such off-street parking areas and ways of ingress and

egress shall be constructed and surfaced in accord with standards prescribed in Section 18.09 of Ordinance 1040, N.S.

(12) A telephone shall be maintained that is easily or readily accessible, and the emergency numbers of ambulance services, and of the Fire Department and Police Department, shall be posted conspicuously on or near said telephone.

(13) All trampolines equipped with springs shall have a cord of sufficient strength running crosswise through all of the springs of said trampoline so as to prevent any of the springs from being ejected or thrown into the air in case of accidental disconnection of said springs from said trampoline.

(14) The space between trampolines and surrounding such trampolines shall be leveled with uncrushed well-rock or river gravel of 3/8" or less.

SECTION 15

SANITARY FACILITIES. The proprietor or operator of a trampoline center (a) shall provide within reasonable access a number of water closets and privies as shall in the opinion of the Health Officer be suffice for the use of members of the public using such centers.

(b) Separate water closets and privies shall be provided for the use of each sex which shall be plainly so designated. No person shall use or be allowed to use any water closet or privy assigned to persons of the opposite sex.

SECTION 16

GENERAL OPERATING REGULATIONS. (a) In addition to the unlawful actions defined by Section 1 of this Ordinance, it shall be unlawful for any individual member of the general public to use any trampoline in or upon any trampoline center or be in or upon any trampoline center otherwise than in accord with the regulations prescribed by this ordinance or such other and further regulations as may be prescribed by the Council of the City of Bakersfield.

(b) Operating regulations governing the use of any trampoline cen-

public are hereby prescribed as follows:

(1) No child under the age of 2 years shall be permitted or allowed to use any trampoline at any time;

(2) No child over the age of 2 years and prior to the attainment of the age of 6 years shall be permitted or allowed to use any trampoline except when accompanied by a person of the age of 18 years or over;

(3) No person shall use, or perform, or be permitted or allowed to use or perform upon any trampoline otherwise than in accordance with accepted gymnastic practice relating to such use or performance;

(4) No person, other than a person actually performing upon a trampoline shall stand, lie, or be permitted or allowed to stand, lie, or otherwise be within any of the distances from the frame of any trampoline as prescribed and delineated by the provisions of Section 14 (b) (3); the provision of this paragraph shall not apply to the operator of a trampoline center or any trampoline supervisor or spotter.

(5) No individual shall use or perform or be permitted or allowed to use or perform upon any trampoline except in the presence of and under the supervision and direction of a trampoline supervisor; any and all persons using or performing upon any trampoline in any trampoline center shall accede at all times to the direction and control of the trampoline supervisor.

SECTION 17*

TRAMPOLINE SUPERVISOR.

(a) A trampoline supervisor is defined to mean an individual of the age of 18 years, or over, of good moral character and physical fitness, trained and experienced in the use of and performance upon a trampoline.

(b) The training and experience qualifications of a trampoline supervisor shall be such as may be prescribed by resolution or minute order adopted by the Council of the City of Bakersfield.

(c) A trampoline supervisor shall

of a First Aid Certificate of a minimum required standard equal to the Standard First Aid Certificate of the American Red Cross.

SECTION 18

SUPERVISION OF TRAMPOLINE USE. (a) Any trampoline center, when open to public use shall at all times be under the immediate and continuous supervision, direction and control of a trampoline supervisor.

(b) It shall be the duty of the trampoline supervisor to supervise, direct and control the public use of any trampoline within or upon any trampoline center.

(c) The duty hereby imposed upon the trampoline supervisor shall not be construed to prohibit such supervisor from doing or performing other or additional acts or duties within and upon a trampoline center; provided expressly, however, that no such additional activity or duty shall in any manner or degree limit, restrict, or otherwise infringe materially upon the duty of the trampoline supervisor as imposed by the provisions of Paragraphs (a) and (b) of this section.

(d) Whenever any trampoline is open to public use upon any trampoline center there shall be on continuous duty therein one or more trampoline supervisors; the required number of such supervisors is prescribed as follows:

(1) 12 trampolines or less open to public use: one supervisor;

(2) For each additional 12 trampolines or fraction thereof open to public use: one additional supervisor for each such additional 12 trampolines or one fraction thereof.

(e) Whenever one or more trampolines upon any trampoline center are closed to public use the trampolines so closed to such use shall be separated from the trampolines open to public use in such appropriate manner as shall deny access by any person to the area within or upon which are located the closed trampolines; whenever any one or more trampolines are so closed to public use the operator shall deny access to such closed

agents or employees of the operator.

SECTION 19

ADDITIONAL REGULATIONS.

The Council of the City of Bakersfield by resolution or by minute order may prescribe such additional regulations as it may in its discretion deem appropriate for the protection of the public safety and welfare with reference to the maintenance and operation of a trampoline center and within the purview of the intents and purposes of this Ordinance.

SECTION 20

INSURANCE. No trampoline center shall be maintained or operated unless or until there is in full force and effect and covering the operation of the same a policy of public liability and property damage insurance issued by a duly authorized insurance carrier and insuring such operations within minimum public liability limits of \$50,000/100,000 and property damage limit of \$5,000.

SECTION 21

SUSPENSION OF PERMIT.

(a) A permit issued under the provisions of this chapter may be suspended by the authorized officer for any violation by any operator or proprietor of any provision of this ordinance or for any failure by either to comply with the regulations herein provided.

(b) Except as provided in Section 21, no such suspension shall exceed a period of 30 days.

(c) Notice of any such suspension shall be given in writing by the authorized officer to the proprietor or operator.

(d) Service of notice of suspension may be made by personal service upon the proprietor or operator or by mail in the manner provided by Sections 1012 and following of the Code of Civil Procedure of the State of California.

(e) No person shall operate a trampoline center during any period during which a permit is suspended under the provisions of this section.

REVOCACTION OF PERMIT. (a) A permit issued under the provisions of this ordinance may be revoked by the Council of the City of Bakersfield for any willful or intentional violation by any operator or proprietor of any provision of this ordinance or for any willful or intentional failure or refusal by either to comply with the provisions of this ordinance and the regulations herein provided.

(b) Proceedings for revocation of permit shall be instituted by written petition signed by the authorized officer of the City of Bakersfield.

(c) The petition shall fully set forth the grounds upon which revocation of permit is sought and shall be filed with the City Clerk of the City of Bakersfield.

(d) Copy of the petition shall be served upon the proprietor or operator in the manner prescribed by Section 20 (d).

(e) Within 10 days after service of copy of the petition upon the operator, the operator may file with said clerk a written answer to the petition.

(f) Said clerk shall set the petition for hearing before the City Council upon a date and time not less than 12 days nor more than 20 days after the date of service of copy of the petition upon the proprietor or operator.

(g) Notice of date and time and place of the hearing shall be served upon the proprietor or operator in the manner prescribed by Section 20 (d).

(h) At the time of such hearing the operator and the proprietor may appear and be heard with or without the written answer provided for by Paragraph (e) of this section.

(i) At the time of such hearing, or upon such continuance thereof as may be granted or ordered by the City Council, the said Council shall hear the petition and all witnesses for or against the granting of an order of revocation of permit.

(j) Except with the consent of the operator or proprietor, no continuance of hearing shall be ordered.

by the City Council for more than 10 days following the date of the original time set for hearing.

(k) Upon the conclusion of the hearing and within not more than 8 days thereafter the City Council shall make its order granting or denying the petition for revocation.

(l) Upon the filing of a petition for revocation of permit the authorized officer and the Tax and License Collector shall forthwith suspend the permit sought to be revoked and such suspension shall continue in full force and effect until the making of the order of the City Council provided for in Paragraph (k) of this section.

(m) No person shall operate a trampoline center during any period during which a permit is suspended under the provisions of this section.

(n) No person shall maintain or operate a trampoline center following an order of revocation of permit made and entered by the City Council under the provisions of this section.

(o) Following any such order of revocation no subsequent permit shall be issued for the maintenance or operation of a trampoline center by any proprietor or operator concerned in any such order of revocation unless and until the application for any such subsequent permit is particularly approved by the City Council, any other provision of this chapter to the contrary notwithstanding.

SECTION 23

POSTING OF REGULATIONS.
Notice of the regulations prescribed by this chapter or otherwise adopted by authority herein contained and governing the use of a trampoline center by members of the general public shall be clearly and legibly posted by the proprietor or operator upon such center in such conspicuous location or locations as to be clearly visible at all times to all such members of the general public in or upon such center.

SECTION 24

VIOLATION A MISDEMEANOR.
(a) Any person violating any provision of this chapter or who, after

reasonable notice of any regulation adopted for the administration of a trampoline center, refuses or fails to comply with any such regulation, shall be guilty of a misdemeanor.

(b) Each day during which any such violation or refusal or failure to comply shall occur or continue shall be deemed a separate offense for which separate prosecution may be had and separate penalty imposed.

SECTION 25

TIME WITHIN WHICH TO COMPLY. Any person maintaining and operating a trampoline center on or prior to the effective date of this ordinance is hereby granted a period of 30 days from and after said effective date within which to comply with all of the provisions of this Ordinance except Section 14 (b) (1) regulating the distance between trampolines set forth in Section 14 (b) (1) hereof. Any such person failing to obtain the permit therein required on or before the close of the 30th day following the effective date of this ordinance shall forthwith cease and desist from the operation of such trampoline center until such time as a permit therefore shall be issued under the provisions of said chapter.

SECTION 26

CONSTITUTIONALITY. If any section, sub-section, paragraph, sentence, clause, phrase or word contained in this ordinance be declared by any court of competent jurisdiction to be unconstitutional or otherwise invalid, then in any such event this Council hereby declares its intent to enact this ordinance in all other lawful respects and excluding therefrom any such unconstitutional or otherwise invalid provision or provisions.

SECTION 27

EMERGENCY MEASURE. This ordinance is hereby declared to be an emergency ordinance for the immediate preservation of the public health, peace and safety within the purview of the provisions of Section 24 of the Charter of the City of Bakersfield.

I HEREBY CERTIFY that the foregoing Ordinance was passed and adopted by the Council of the City of Bakersfield at a regular meeting thereof held on the 21st day of March, 1960, by the following vote:

Ayes: Balfanz, Bentley, Carnakis, Collins, Croes, Doolin

Noes: None

Absent: Stiern

MARIAN S. IRVIN,
City Clerk and Ex-Officio Clerk of the Council of the City of Bakersfield.

APPROVED this 21st day of March, 1960.

FRANK SULLIVAN,
MAYOR of the City of Bakersfield.

*Some cities have spelled out their requirements for experience in the use of rebound tumbling equipment. Riverside, California, for example, requires that the supervisor demonstrate his ability to perform the following maneuvers: 1) feet bounce, 2) knees bounce, 3) seat-drop, 4) hands and knees bounce, 5) front-drop, 6) back drop, and 7) such other maneuvers as the Park and Recreation Department in its judgment shall require. He must also demonstrate to the department a knowledge of the safety requirements of the code and such other safety rules it deems pertinent. The code sets up an appeal procedure, a public hearing by the City Council.

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