

R430-100-6. OUTDOOR ENVIRONMENT.

- (1) There shall be an outdoor play area for children that is safely accessible to children.

Rationale / Explanation

The purpose of this rule is to prevent injury to children or a child escaping en route to the outdoor play area. A playground is considered safely accessible if it directly adjoins the building, if there is a fenced walkway from the building to the playground, or another way to ensure that the route from the building to the playground is free of potential hazards. CFOC, pg. 253 Standard 5.162

Enforcement

The purpose of this rule is to ensure that children cannot access streets, parking lots, ditches, etc. when going to the playground. A center can meet this rule by:

- *having a playground that is directly adjacent to the building, so that children exit the building straight onto the playground.*
- *having a fenced walkway from the building to the playground.*
- *having the entire area that holds both the building and the playground fenced, provided the area inside the fence does not include parking lots, driveways, or anywhere else cars may be.*
- *having a playground that can be accessed via a sidewalk, if the sidewalk does not pass through a parking lot, or near a busy street or water hazard.*
- *blocking off a portion of a parking lot with traffic cones to create a walkway to the outdoor play area.*

Always Level 2 Noncompliance.

- (2) The outdoor play area shall have at least 40 square feet of space for each child using the playground at the same time as other children.
- (3) The outdoor play area shall accommodate at least 33 percent of the licensed capacity at one time or shall be at least 1600 square feet.

Rationale / Explanation

The purpose of this rule is to allow children safe freedom of movement during active outdoor play. The American Academy of Pediatrics and the American Public Health Association recommend 75 square feet of outdoor space for each preschooler, 33 square feet for each infant, and 50 square feet for each toddler using the playground at one time. CFOC, pg.253 Standard 5.162; pg. 254 Standard 5.164

Enforcement

This measurement is usually taken, and capacity determined, at the time of initial licensure. It is normally not re-measured on subsequent licensing visits, unless the outdoor play area appears overly crowded during the visit.

A center may meet the outdoor play area square footage requirement by having more than one playground, as long as they are all safely accessible and fenced as required by R430-100-6(2)(3)(4).

Always Level 3 Noncompliance.

- (4) The outdoor play area shall be enclosed within a 4 foot high fence or wall, or a solid natural barrier that is at least 4 feet high. When children play outdoors, they must play in the enclosed play area except during off-site activities described in Section R430-100-20(5).

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Rationale / Explanation

The purpose of this rule is to prevent children from leaving the outdoor play area and to prevent their access to streets and other hazards. It also serves to keep unwanted people and animals out of the playground. CFOC, pg. 255 Standard 5.169; pg. 257 Standard 1.178

Enforcement

This rule applies to exterior fences only.

The Licensing Specialist will assess compliance with this rule by taking at least 4 different measurements of the fence height and averaging them.

A fence will not be considered out of compliance if it is less than 4 feet in height due to temporary weather conditions, such as snow on the ground at the base of the fence.

Level 1 Noncompliance: If there is no fence or barrier or the fence or barrier is less than 3 feet high.

Level 3 Noncompliance: If there is a complete fence at least 3 feet high, but less than 4 feet high. Or, if the outdoor play area is not enclosed because a gate in the fence through which a child could leave the play area/center is left open.

- (5) There shall be no gaps in fences greater than 5 inches at any point, nor shall gaps between the bottom of the fence and the ground be more than 5 inches.**

Rationale / Explanation

The purpose of this rule is to prevent children from escaping through gaps in a fence, thus defeating the purposes of the fence as explained in subsection (4) above. CFOC, pg. 255 Standard 5.169; pg. 257 Standard 1.178

The 5" measurement is based on the diameter of a small toddler's head.

Enforcement

This rule applies to exterior fences only.

In order for a gap to be considered out of compliance the gap would need to be at least both 5" in height and 5" in width.

Level 1 Noncompliance if there is a gap in the fence, and there are hazards outside of the fence, such as heavy traffic or a water hazard.

Level 2 Noncompliance otherwise.

- (6) There shall be no openings greater than 3-1/2 by 6-1/4 inches and less than 9 inches in diameter anywhere in the outdoor play area where children's feet cannot touch the ground.**

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Rationale / Explanation

Openings that fit these dimensions are called “entrapment hazards”. An entrapment hazard is an opening that a child’s body could fit through, but not their head. Children often enter openings feet first and attempt to slide through the opening. If the opening is not large enough it may allow the body to pass through the opening and entrap the head. When the ground forms the lower boundary of an opening, it is not considered to be a head entrapment hazard. This rule is based on guidelines from the Consumer Product Safety Commission (CPSC). CFOC, pgs. 216-217 Standard 5.075; pg. 261 Standard 5.186

Enforcement

This rule applies to entrapment hazards outside of the use zone(s) of any piece of playground equipment, and it only applies to entrapments where a child’s feet could not touch the ground.

Licensors should use the following measurements, taken from the ground up to the bottom of the entrapment hazard, to determine if the entrapment hazard is in a place where a child’s feet could not touch the ground.

- Infant and toddler playgrounds: more than 23 1/4 inches above the ground
- Two-year-olds (for preschool playgrounds): more than 25 1/4 inches above the ground
- School age only playgrounds: more than 33 inches above the ground

This rule does not include entrapments such as decorative openings in the tops of fences, if the entrapment is above the 4' from the ground required for fences. This rule also does not include partially bounded openings, such as those found in picket fences.

Always Level 2 Noncompliance.

(7) When in use, the outdoor play area shall be free of trash, animal excrement, harmful plants, objects, or substances, and standing water.

Rationale / Explanation

The purpose of this rule is to prevent injury to children and the spread of disease.

Proper maintenance of playgrounds and playground equipment is a key factor in ensuring a safe play environment for children. Each playground is unique and requires a routine maintenance check program developed specifically for that playground. CFOC, pgs. 262-263 Standard 5.194

Standing water is a drowning hazard. Small children can drown within 30 seconds in as little as 2 inches of water. In addition, standing water is breeding grounds for mosquitos, which can spread disease. CFOC, pgs. 112-113, Standard 3.045; pg. 266 Standard 5.202

Enforcement

If dangerous items accessible to children are listed in R430-100-12(4), cite that rule, not this one. This rule should be used for dangerous items not specifically mentioned in other rules.

For the purposes of this rule:

- Trash means a buildup of trash, not a few pieces of paper garbage.

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- *Animal excrement does not include isolated bird droppings.*
- *Standing water includes wading pools when not in use and supervised, and buckets or other containers of water a child's head could fit in (unless small containers are being used as part of a supervised project, such as painting on the sidewalk with water).*
- *Standing water does not include temporary puddles caused by rain or sprinklers.*
- *Harmful objects include:*
 - *Animal swings.*
 - *Unanchored swings or unanchored large metal slides.*
 - *Broken toys or equipment that have sharp edges that could cut or puncture a child's skin.*
 - *Sharp objects such as exposed nails or screws.*
 - *A rope, cord, wire, or chain attached to a structure, that a child could strangle on (this does not include ropes used to suspend swings).*
 - *Rebar/metal rods less than 48" sticking up from the ground or out of walls.*
- *Harmful plants include thistles.*
- *Dangerous substances include anything toxic (gasoline, pesticides, fertilizer, paint thinner, etc.), including anything with a warning label on the container that says "keep out of reach of children."*

This rule does not prohibit preschoolers or school age children from using child-size gardening tools under adult supervision.

Level 1 Noncompliance: If there are toxic substances accessible to children; metal animal swings; unanchored swings or large metal slides; or sharp objects in the outdoor play area.

Level 2 Noncompliance: For any other safety hazard in the outdoor play area.

Level 3 Noncompliance: For a buildup of trash in the outdoor play area.

(8) The outdoor play area shall have a shaded area to protect children from excessive sun and heat.

Rationale / Explanation

The purpose of this rule is to prevent both sunburn and heat exhaustion.

It can take less than 10 minutes for a child's skin to burn, and it is estimated that 80% of a person's lifetime sun damage occurs before the age of 18. Individuals who suffer severe childhood sunburns are an increased risk for skin cancer. CFOC, pg. 257 Standard 5.177

Children do not adapt to extremes in temperature as effectively as adults. Children produce more metabolic heat per mass unit than adults when walking or running. They also have a lower sweating capacity and cannot dissipate heat by evaporation as quickly. CFOC, pgs. 51-52 Standard 51

Enforcement

Shade can come from trees, awnings, patio roofs or other structures. The side of the building can provide shade if children are taken outside during a time of the day when the building is providing some shade.

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Because outdoor play is required each day, weather permitting, there must be some provision for shade year round.

Level 2 Noncompliance: Except in cold weather when children are mostly covered by cold weather clothing.

Level 3 Noncompliance: In cold weather when children are mostly covered by cold weather clothing.

- (9) An outdoor source of drinking water, such as a drinking fountain, individually labeled water bottles, or a pitcher of water and individual cups that are taken outside, shall be available to children whenever the outside temperature is 75 degrees or higher.**

Rationale / Explanation

The purpose of this rule is to prevent dehydration and heat exhaustion. Children do not adapt to extremes in temperature as effectively as adults. Children produce more metabolic heat per mass unit than adults when walking or running. They also have a lower sweating capacity and cannot dissipate heat by evaporation as quickly. CFOC, pgs. 51-52 Standard 51

The purpose of the requirement for individually labeled water bottles or individual drinking cups is to prevent the spread of disease.

Enforcement

Level 1 Noncompliance: If children do not have access to water outdoors and the temperature is 100 degrees or higher.

Level 3 Noncompliance otherwise.

- (10) All outdoor play equipment and areas shall comply with the following safety standards by the dates specified in Table 4.**

- (a) All stationary play equipment used by infants and toddlers shall meet the following requirements:**
- (i) There shall be no designated play surface that exceeds 3 feet in height.**

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2009.

If swing sets do not have a horizontal bar on the outside of the supporting pole or beam, the side use zone will be measured from the swing seat, not from the supporting side pole or beam.

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Side supporting poles or beams from two swing sets may be placed right next to each other. They do not have to share a supporting pole or beam.

Always Level 1 Noncompliance.

(10) All outdoor play equipment and areas shall comply with the following safety standards by the dates specified in Table 4.

- (a) All stationary play equipment used by infants and toddlers shall meet the following requirements:**
 - (ii) If the height of a designated play surface or climbing bar on a piece of equipment, excluding swings, is greater than 18 inches, it shall have use zones that meet the following criteria:**
 - (A) The use zone shall extend a minimum of 3 feet in all directions from the perimeter of each piece of equipment.**
 - (B) Use zones may overlap if two pieces of equipment are positioned adjacent to one another, with a minimum of 3 feet between the perimeters of the two pieces of equipment.**
 - (C) The use zone in front of a slide may not overlap the use zone of any other piece of equipment.**

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

If swing sets do not have a horizontal bar on the outside of the supporting pole or beam, the side use zone will be measured from the swing seat, not from the supporting side pole or beam.

Side supporting poles or beams from two swing sets may be placed right next to each other. They do not have to share a supporting pole or beam.

A use zone is not required for sand diggers.

If a preschooler or school age child plays on infant/toddler equipment, the equipment must have the use zone required for preschool or school age children.

Always Level 1 Noncompliance.

(10) All outdoor play equipment and areas shall comply with the following safety standards by the dates specified in Table 4.

- (a) All stationary play equipment used by infants and toddlers shall meet the following requirements:**

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- (iii) The use zone in the front and rear of all swings shall extend a minimum distance of twice the height from the swing seat to the pivot point of the swing, and shall not overlap the use zone of any other piece of equipment.

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

If swing sets do not have a horizontal bar on the outside of the supporting pole or beam, the side use zone will be measured from the swing seat, not from the supporting side pole or beam.

Side supporting poles or beams from two swing sets may be placed right next to each other. They do not have to share a supporting pole or beam.

If a preschooler or school age child plays on infant/toddler equipment, the equipment must have the use zone required for preschool or school age children.

Always Level 1 Noncompliance.

- (10) All outdoor play equipment and areas shall comply with the following safety standards by the dates specified in Table 4.
- (a) All stationary play equipment used by infants and toddlers shall meet the following requirements:
- (iv) The use zone for the sides of a single-axis swing shall extend a minimum of 3 feet from the perimeter of the structure, and may overlap the use zone of a separate adjacent piece of equipment.

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

If swing sets do not have a horizontal bar on the outside of the supporting pole or beam, the side use zone will be measured from the swing seat, not from the supporting side pole or beam.

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Side supporting poles or beams from two swing sets may be placed right next to each other. They do not have to share a supporting pole or beam.

If a preschooler or school age child plays on infant/toddler equipment, the equipment must have the use zone required for preschool or school age children.

Always Level 1 Noncompliance.

- (10) (a) **All stationary play equipment used by infants and toddlers shall meet the following requirements:**
- (v) **The use zone of a multi-axis swing shall extend a minimum distance of 3 feet plus the length of the suspending members, and shall never overlap the use zone of another piece of equipment.**

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

If swing sets do not have a horizontal bar on the outside of the supporting pole or beam, the side use zone will be measured from the swing seat, not from the supporting side pole or beam.

Side supporting poles or beams from two swing sets may be placed right next to each other. They do not have to share a supporting pole or beam.

If a preschooler or school age child plays on infant/toddler equipment, the equipment must have the use zone required for preschool or school age children.

Always Level 1 Noncompliance.

- (10) (a) **All stationary play equipment used by infants and toddlers shall meet the following requirements:**
- (vi) **The use zone for merry-go-rounds shall never overlap the use zone of another piece of equipment.**

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

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Enforcement

Centers must be in compliance with this rule by 31 December 2011.

If a preschooler or school age child plays on infant/toddler equipment, the equipment must have the use zone required for preschool or school age children.

Always Level 1 Noncompliance.

- (10) (a) All stationary play equipment used by infants and toddlers shall meet the following requirements:**
- (vii) The use zone for spring rockers shall extend a minimum of 3 feet from the at-rest perimeter of the equipment.**

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

If a preschooler or school age child plays on infant/toddler equipment, the equipment must have the use zone required for preschool or school age children.

Always Level 1 Noncompliance.

- (10) (a) All stationary play equipment used by infants and toddlers shall meet the following requirements:**
- (viii) Swings shall have enclosed seats.**

Rationale / Explanation

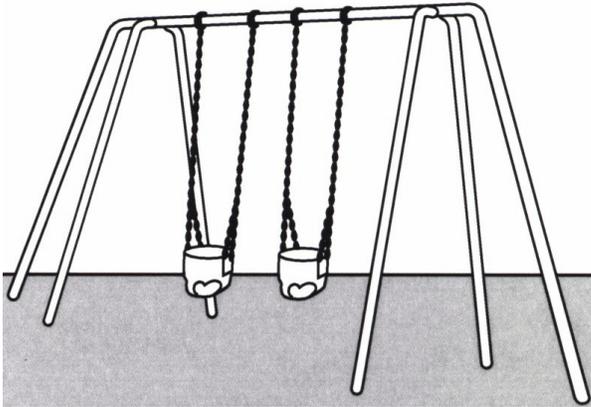
This rule is based on guidelines from the Consumer Product Safety Commission, which are intended to prevent injury to infants and toddlers from falling out of a swing.

Enforcement

An enclosed seat means a bucket seat, as specified by CPSC. Below are pictures of two acceptable enclosed seats. The seat on the right has a T-strap that goes between the child's legs.

Always Level 1 Noncompliance.

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- (10) (b) All stationary play equipment used by preschoolers or school age children shall meet the following requirements for use zones:
- (i) If the height of a designated play surface or climbing bar on a piece of equipment, excluding swings, is greater than 20 inches, it shall have use zones that meet the following criteria:
 - (A) The use zone shall extend a minimum of 6 feet in all directions from the perimeter of each piece of equipment.
 - (B) The use zones of two pieces of equipment that are positioned adjacent to one another may overlap if the designated play surfaces of each structure are no more than 30 inches above the protective surfacing underneath the equipment. In such cases, there shall be a minimum of 6 feet between the adjacent pieces of equipment.
 - (C) There shall be a minimum use zone of 9 feet between adjacent pieces of equipment if the designated play surface of one or both pieces of equipment is more than 30 inches above the protective surfacing underneath the equipment.

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

If swing sets do not have a horizontal bar on the outside of the supporting pole or beam, the side use zone will be measured from the swing seat, not from the supporting side pole or beam.

Side supporting poles or beams from two swing sets may be placed right next to each other. They do not have to share a supporting pole or beam.

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A use zone is not required for sand diggers.

Always Level 1 Noncompliance.

- (10) (b) All stationary play equipment used by preschoolers or school age children shall meet the following requirements for use zones:
- (ii) The use zone in the front and rear of a single-axis swing shall extend a minimum distance of twice the height of the pivot point of the swing, and may not overlap the use zone of any other piece of equipment.

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

Always Level 1 Noncompliance.

- (10) (b) All stationary play equipment used by preschoolers or school age children shall meet the following requirements for use zones:
- (iii) The use zone for the sides of a single-axis swing shall extend a minimum of 6 feet from the perimeter of the structure, and may overlap the use zone of a separate piece of equipment.

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

If swing sets do not have a horizontal bar on the outside of the supporting pole or beam, the side use zone will be measured from the swing seat, not from the supporting side pole or beam.

Side supporting poles or beams from two swing sets may be placed right next to each other. They do not have to share a supporting pole or beam.

Always Level 1 Noncompliance.

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- (10) (b) All stationary play equipment used by preschoolers or school age children shall meet the following requirements for use zones:
- (iv) The use zone of a multi-axis swing shall extend a minimum distance of 6 feet plus the length of the suspending members, and shall never overlap the use zone of another piece of equipment.

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

If swing sets do not have a horizontal bar on the outside of the supporting pole or beam, the side use zone will be measured from the swing seat, not from the supporting side pole or beam.

Side supporting poles or beams from two swing sets may be placed right next to each other. They do not have to share a supporting pole or beam.

Always Level 1 Noncompliance.

- (10) (b) All stationary play equipment used by preschoolers or school age children shall meet the following requirements for use zones:
- (v) The use zone for merry-go-rounds shall never overlap the use zone of another piece of equipment.

Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

Always Level 1 Noncompliance.

- (10) (b) All stationary play equipment used by preschoolers or school age children shall meet the following requirements for use zones:
- (vi) The use zone for spring rockers shall extend a minimum of 6 feet from the at-rest perimeter of the equipment.

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Rationale / Explanation

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. A use zone is the area beneath and surrounding a play structure or piece of equipment that is designated for unrestricted movement around the equipment, and onto which a child falling from or exiting the equipment could be expected to land. CFOC, pg. 255 Standard 5.170; pg. 256 Standard 5.172

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

Always Level 1 Noncompliance.

(10) (c) Two-year-olds may play on infant and toddler play equipment.

Rationale / Explanation

The use zones around equipment for infants and toddlers are smaller than those around equipment for preschoolers and school age children. This is because infants and toddlers do not jump or fall as far a distance from equipment as older children do. This rule allows two-year-olds to play on infant and toddler equipment with these smaller use zones.

(10) (d) Protective cushioning is required in all use zones.

Rationale / Explanation

Protective cushioning is material that is placed in the use zones under and around stationary play equipment in order to cushion a child's fall from the equipment. Acceptable cushioning materials include the following: sand, gravel, shredded tires, shredded wood products, and unitary cushioning material. Cushioning materials must meet ASTM Specification F 1292.

This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on playgrounds are from children falling. Hard surfaces such as concrete, blacktop, packed earth, or grass are not acceptable under most play equipment. A fall onto one of these hard surfaces could be life threatening. CFOC, pgs. 216-217 Standard 5.075; pgs. 259-260 Standard 5.183

Enforcement

A rounded tunnel is not considered playground equipment unless it has a flat 2" by 2" surface on it. This means that a rounded tunnel does not require protective cushioning or a use zone.

An embankment slide does not require a use zone or cushioning except at the bottom of the slide chute. This use zone must be at least as wide as the slide chute.

Always Level 1 Noncompliance.

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- (10) (e) If sand, gravel, or shredded tires are used as protective cushioning, the depth of the material shall meet the CPSC guidelines in Table 1. The provider shall ensure that the material is periodically checked for compaction, and if compacted, shall loosen the material to the depth listed in Table 1. If the material cannot be loosened due to extreme weather conditions, the provider shall not allow children to play on the equipment until the material can be loosened to the required depth.

Rationale / Explanation

Compaction of protective cushioning occurs when sand or gravel becomes packed and hard, so that it does not provide adequate cushioning. This is different than compaction of shredded wood products. Compaction of shredded wood products is desirable, as it actually improves the cushioning ability of the material.

This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on playgrounds are from children falling. CFOC, pgs. 216-217 Standard 5.075; pg. 264 Standard 5.197; pgs. 259-260 Standard 5.183

Enforcement

The following criteria will be used to determine whether sand is fine or coarse, and whether gravel is fine or medium:

- *Fine Sand – Particles of white sand purchased in bags marked "play sand." 100% of the material must pass through a #16 screen.*
- *Coarse Sand – Usually obtained from a supplier to the landscaping and construction trades. 98% of the material must pass through a #4 screen.*
- *Fine Gravel – Gravel particles are rounded and 3/8 inch or less in diameter.*
- *Medium Gravel – Gravel particles are rounded and 1/2 inch or less in diameter.*

The depth of the protective cushioning will be measured as follows:

The licensor will take 3 measurements of the cushioning. Each measurement will be taken directly to the side of a high use piece of equipment. For example, directly to the side of a slide (rather than at the bottom of the slide), or directly to the side of a swing (rather than under the swing). Licensors should check the depth by digging a hole into the cushioning to the bottom, placing a ruler at the bottom, and refilling the hole they dug. Licensors will average the three measurements to determine if more cushioning is needed, or if cushioning just needs redistribution. If the three measurements show the cushioning is low, the licensor should dig four additional holes in the corners of the playground. If averaging the 7 measurements together shows there is adequate cushioning, then the licensor should let the provider know that they just need to redistribute the cushioning.

Compaction of protective cushioning occurs when sand or gravel becomes packed and hard, so that it does not provide adequate cushioning. This is different than compaction of shredded wood products. Compaction of shredded wood products is desirable, as it actually improves the cushioning ability of the material.

An embankment slide does not require a use zone or cushioning except at the bottom of the slide chute. This use zone must be at least as wide as the slide chute.

Level 1 Noncompliance: If there is less than 75% of the required depth of protective cushioning.

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Level 2 Noncompliance: If there is 75% or more of the required depth of protective cushioning, or if there is 100% of the required protective cushioning, but it needs to be redistributed. Or, if the protective cushioning is compacted and needs to be loosened.

TABLE 1					
Depths of Protective Cushioning Required for Sand, Gravel, and Shredded Tires					
Highest Designated Play Surface, Climbing Bar, or Swing Pivot Point	Fine Sand	Coarse Sand	Fine Gravel	Medium Gravel	Shredded Tires
4' high or less	6"	6"	6"	6"	6"
Over 4' up to 5'	6"	6"	6"	6"	6"
Over 5' up to 6'	12"	12"	6"	12"	6"
Over 6' up to 7'	12"	Not Allowed	9"	Not Allowed	6"
Over 7' up to 8'	12"	Not Allowed	12"	Not Allowed	6"
Over 8' up to 9'	12"	Not Allowed	12"	Not Allowed	6"
Over 9' up to 10'	Not Allowed	Not Allowed	12"	Not Allowed	6"
Over 10' up to 11'	Not Allowed	Not Allowed	Not Allowed	Not Allowed	6"
Over 11' up to 12'	Not Allowed	Not Allowed	Not Allowed	Not Allowed	6"

- (10) (f) If shredded wood products are used as protective cushioning, the depth of the shredded wood shall meet the CPSC guidelines in Table 2.

Rationale / Explanation

Compaction of protective cushioning occurs when sand or gravel becomes packed and hard, so that it does not provide adequate cushioning. This is different than compaction of shredded wood products. Compaction of shredded wood products is desirable, as it actually improves the cushioning ability of the material.

This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on playgrounds are from children falling. CFOC, pgs. 216-217 Standard 5.075; pg. 264 Standard 5.197; pgs. 259-260 Standard 5.183

Enforcement

Gardening bark mulch does not have the cushioning properties required by ASTM Specification F 1292, and cannot be used as playground cushioning material.

The depth of the protective cushioning will be measured as follows:

The licensor will take 3 measurements of the cushioning. Each measurement will be taken directly to the side of a high use piece of equipment. For example, directly to the side of a slide (rather than at the bottom of the slide), or directly to the side of a swing (rather than under the swing). Licensors should check the depth by digging a hole into the cushioning to the bottom, placing a ruler at the bottom, and refilling the

hole they dug. Licensors will average the three measurements to determine if more cushioning is needed, or if cushioning just needs redistribution. If the three measurements show the cushioning is low, the licensor should dig four additional holes in the corners of the playground. If averaging the 7 measurements together shows there is adequate cushioning, then the licensor should let the provider know that they just need to redistribute the cushioning.

An embankment slide does not require a use zone or cushioning except at the bottom of the slide chute. This use zone must be at least as wide as the slide chute.

Level 1 Noncompliance: If there is less than 75% of the required depth of protective cushioning.

Level 2 Noncompliance: If there is 75% or more of the required depth of protective cushioning, or if there is 100% of the required protective cushioning, but it needs to be redistributed.

Highest Designated Play Surface, Climbing Bar, or Swing Pivot Point	Engineered Wood Fibers	Wood Chips	Double Shredded Bark Mulch
4' high or less	6"	6"	6"
Over 4' up to 5'	6"	6"	6"
Over 5' up to 6'	6"	6"	6"
Over 6' up to 7'	9"	6"	9"
Over 7' up to 8'	12"	9"	9"
Over 8' up to 9'	12"	9"	9"
Over 9' up to 10'	12"	9"	9"
Over 10' up to 11'	12"	12"	12"
Over 11'	12"	Not Allowed	Not Allowed

R430-100-6. OUTDOOR ENVIRONMENT.

- (10) (g) If wood products are used as cushioning material:
 (i) the providers shall maintain documentation from the manufacturer verifying that the material meets ASTM Specification F 1292, which is adopted by reference; and

Rationale / Explanation

This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on playgrounds are from children falling. CFOC, pgs. 216-217 Standard 5.075; pgs. 259-260 Standard 5.183

Enforcement

If the licensor verifies that wood product cushioning is engineered wood fiber, ASTM documentation is not needed for compliance.

R430-100-6. OUTDOOR ENVIRONMENT.

Always Level 3 Noncompliance.

- (10) (g) If wood products are used as cushioning material:
(ii) there shall be adequate drainage under the material.

Rationale / Explanation

Inadequate drainage under wood cushioning material can result in trapped water freezing, which makes the material unable to absorb the impact from falls. It can also lead to the growth of bacteria, mold, and the breeding of mosquitos. CFOC, pg. 190 Standard 5.005

Enforcement

Adequate drainage will be assessed by digging into the wood product. If one of the following happens when the wood product is dug into, it means there is not adequate drainage under the wood:

- *Water fills the hole that has been dug.*
- *In freezing weather, frozen water forms an ice block under the material.*
- *There is mold growing in the material.*

Always Level 2 Noncompliance.

- (10) (h) If a unitary cushioning material, such as rubber mats or poured rubber-like material is used as protective cushioning:
(i) the licensee shall ensure that the material meets the standard established in ASTM Specification F 1292. The provider shall maintain documentation from the manufacturer that the material meets these specifications.

Rationale / Explanation

This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on playgrounds are from children falling. CFOC, pgs. 216-217 Standard 5.075; pgs. 259-260 Standard 5.183; pg. 264 Standard 5.197

Enforcement

An embankment slide does not require a use zone or cushioning except at the bottom of the slide chute. This use zone must be at least as wide as the slide chute.

Always Level 3 Noncompliance.

- (10) (h) If a unitary cushioning material, such as rubber mats or poured rubber-like material is used as protective cushioning:
(ii) the licensee shall ensure that the cushioning material is securely installed, so that it cannot become displaced when children jump, run, walk, land, or move on it, or be moved by children picking it up.

R430-100-6. OUTDOOR ENVIRONMENT.

Rationale / Explanation

This rule is based on guidelines from the Consumer Product Safety Commission. Improper cushioning material under playground equipment is the leading cause of playground related injuries. Over 70% of all accidents on playgrounds are from children falling. CFOC, pgs. 216-217 Standard 5.075; pgs. 259-260 Standard 5.183; pg. 264 Standard 5.197

Enforcement

This item is considered out of compliance if the unitary cushioning material is set on top of the ground and not secured in place, such that it could become displaced when children jump, run, walk, land, or move on it, or if children could easily pick it up and move it.

Always Level 1 Noncompliance.

- (10) (i) Stationary play equipment that has a designated play surface less than the height specified in Table 3, and that does not have moving parts children sit or stand on, may be placed on grass, but shall not be placed on concrete, asphalt, dirt, or any other hard surface.**

Rationale / Explanation

The purpose of this rule is to prevent injuries from falls onto a hard surface. Over 70% of all accidents on playgrounds are from children falling. CFOC, pgs. 216-217 Standard 5.075

Enforcement

Centers must be in compliance with this rule by 31 December 2008, unless the equipment is installed in concrete footings. If the equipment is installed in concrete footings, centers must be in compliance with this rule by 31 December 2009.

Always Level 1 Noncompliance.

TABLE 3		
Heights of Designated Play Surfaces That May Be Placed on Grass		
Infants & Toddlers	Preschoolers	School Age
Less than 18"	Less than 20"	Less than 30"

R430-100-6. OUTDOOR ENVIRONMENT.

- (10) (j) On stationary play equipment used by infants and toddlers, protective barriers shall be provided on all play equipment platforms that are over 18 inches above the ground. The bottom of the protective barrier shall be less than 3-1/2 inches above the surface of the platform, and there shall be no openings greater than 3-1/2 inches in the barrier. The top of the protective barrier shall be at least 24 inches above the surface of the platform.**

R430-100-6. OUTDOOR ENVIRONMENT.

Rationale / Explanation

A “protective barrier” is an enclosing structure such as bars, lattice, or a solid panel, around an elevated platform on a piece of play equipment. It is intended to prevent a child from either accidentally or deliberately falling or jumping from the platform.

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. Over 70% of all accidents on playgrounds are from children falling. CFOC, pgs. 216-217 Standard 5.075

Enforcement

Centers must be in compliance with this rule by 31 December 2010.

In assessing this item, licensors need to determine if the cushioning under the piece of equipment is low, so that adding the required amount of cushioning would mean a platform does not need a protective barrier, or if the platform would require a protective barrier even if the full required depth of cushioning were in place. If a barrier would **not** be required if there were enough protective cushioning, licensors should cite R430-100-6(10)(e) or (f), not this rule.

A provider has the option of adding more than the required amount of protective cushioning in order to lessen the height of a platform so that it does not need a protective barrier.

Level 1 Noncompliance: If a play equipment platform over 48 inches does not have the required protective barrier.

Level 2 Noncompliance otherwise.

(10) (k) On stationary play equipment used by preschoolers, protective barriers shall be provided on all play equipment platforms that are over 30 inches above the ground. The bottom of the protective barrier shall be less than 3-1/2 inches above the surface of the platform, and there shall be no openings greater than 3-1/2 inches in the barrier. The top of the protective barrier shall be at least 29 inches above the surface of the platform.

Rationale / Explanation

A “protective barrier” is an enclosing structure such as bars, lattice, or a solid panel, around an elevated platform on a piece of play equipment. It is intended to prevent a child from either accidentally or deliberately falling or jumping from the platform.

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. Over 70% of all accidents on playgrounds are from children falling. CFOC, pgs. 216-217 Standard 5.075

Enforcement

Centers must be in compliance with this rule by 31 December 2010.

R430-100-6. OUTDOOR ENVIRONMENT.

*In assessing this item, licensors need to determine if the cushioning under the piece of equipment is low, so that adding the required amount of cushioning would mean a platform does not need a protective barrier, or if the platform would require a protective barrier even if the full required depth of cushioning were in place. If a barrier would **not** be required if there were enough protective cushioning, licensors should cite R430-100-6(10)(e) or (f), not this rule.*

A provider has the option of adding more than the required amount of protective cushioning in order to lessen the height of a platform so that it does not need a protective barrier.

Level 1 Noncompliance: If a play equipment platform over 48 inches does not have the required protective barrier.

Level 2 Noncompliance otherwise.

- (10) (I) On stationary play equipment used by school age children, protective barriers shall be provided on all play equipment platforms that are over 48 inches above the ground. The bottom of the protective barrier shall be less than 3-1/2 inches above the surface of the platform, and there shall be no openings greater than 3-1/2 inches in the barrier. The top of the protective barrier shall be at least 38 inches above the surface of the platform.**

Rationale / Explanation

A “protective barrier” is an enclosing structure such as bars, lattice, or a solid panel, around an elevated platform on a piece of play equipment. It is intended to prevent a child from either accidentally or deliberately falling or jumping from the platform.

These rules are based on guidelines from the Consumer Product Safety Commission, which are designed to prevent serious head injuries or other life threatening injuries to children. Over 70% of all accidents on playgrounds are from children falling. CFOC, pgs. 216-217 Standard 5.075

Enforcement

Centers must be in compliance with this rule by 31 December 2010.

*In assessing this item, licensors need to determine if the cushioning under the piece of equipment is low, so that adding the required amount of cushioning would mean a platform does not need a protective barrier, or if the platform would require a protective barrier even if the full required depth of cushioning were in place. If a barrier would **not** be required if there were enough protective cushioning, licensors should cite R430-100-6(10)(e) or (f), not this rule.*

A provider has the option of adding more than the required amount of protective cushioning in order to lessen the height of a platform so that it does not need a protective barrier.

Level 1 Noncompliance: If a play equipment platform over 48 inches does not have the required protective barrier.

Level 2 Noncompliance otherwise.

R430-100-6. OUTDOOR ENVIRONMENT.

- (10) (m) There shall be no openings greater than 3-1/2 by 6-1/4 inches and less than 9 inches in diameter on any piece of stationary play equipment, or within or adjacent to the use zone of any piece of stationary play equipment.**

Rationale / Explanation

Openings that fit these dimensions are called “entrapment hazards”. An entrapment hazard is an opening that a child’s body could fit through, but not their head. Children often enter openings feet first and attempt to slide through the opening. If the opening is not large enough it may allow the body to pass through the opening and entrap the head. When the ground forms the lower boundary of an opening, it is not considered to be a head entrapment hazard. This rule is based on guidelines from the Consumer Product Safety Commission, which are intended to prevent injury to children. CFOC, pgs. 216-217 Standard 5.075; pg. 261 Standard 5.186

Enforcement

Centers must be in compliance with this rule by 31 December 2010.

The use zone extends all the way up the height of the equipment, and on the top of the equipment. This means there cannot be tree branches or anything else that creates an entrapment hazard in the use zone above the equipment.

This rule does not include openings where one of the edges of the opening is on the ground. It only includes entrapment hazards where a child’s feet cannot touch the ground. Licensors should use the following measurements, taken from the ground up to the bottom of the entrapment hazard, to determine if the entrapment hazard is in a place where a child’s feet could not touch the ground.

- Infant and toddler playgrounds: more than 23 1/4 inches above the ground*
- Two-year-olds (for preschool playgrounds): more than 25 1/4 inches above the ground*
- School age only playgrounds: more than 33 inches above the ground*

Directly adjacent to the use zone of a piece of stationary play equipment means within 6 inches of the perimeter of the use zone.

Always Level 1 Noncompliance.

- (10) (n) There shall be no protrusion or strangulation hazards in or adjacent to the use zone of any piece of stationary play equipment.**

Rationale / Explanation

This rule is based on guidelines from the Consumer Product Safety Commission, which are intended to prevent injury to children.

A strangulation hazard is something on which a child’s clothes or something around a child’s neck could become caught on a component of playground equipment. A protrusion hazard is a component or piece of hardware that could impale or cut a child if the child falls against it. For example, a screw sticking out of a piece of playground equipment. Some protrusions are also capable of catching strings or items of clothing which might be worn around a child’s neck. This type of protrusion is especially hazardous because it could result in strangulation.

R430-100-6. OUTDOOR ENVIRONMENT.

Other examples of protrusion and strangulation hazards include bolt ends that extend more than two threads beyond the face of the nut, hardware configurations that form a hook or leave a gap or space between components, and open "S" type hooks. Special attention should be paid to the area at the top of slides and sliding devices. Ropes should be anchored securely at both ends, and should not be capable of forming a loop or a noose. If they do not meet these criteria, they pose a strangulation hazard. CFOC, pgs. 216-217 Standard 5.075; pg. 260 Standard 5.185

Enforcement

The use zone extends all the way up the height of the equipment, and on the top of the equipment. This means there cannot be tree branches or anything else that creates a strangulation hazard in the use zone above the equipment.

Specific strangulation hazards licensors should check for include:

- *A bolt, screw, or other "protrusion" that passes the protrusion gauge test, but which increases in size or diameter as it moves away from the surface. (For example, a bolt with a washer on the outside of a nut, where the washer is greater in diameter than the nut. Or, a bolt with a large bolt head, where the bolt head is not flush with the surface.)*
- *Bolt ends that extend more than two threads beyond the face of the nut.*
- *On slides: a gap on the top or sides of slides of a slide that the 1/8", 2" diameter protrusion gauge could pass all the way through.*
- *On "S" hooks: a gap in an "S" hook that a dime could fit into.*
- *Hanging ropes, cords, or chains longer than 12" that can make a loop 5" in diameter, **except** ropes, cords, or chains with swings attached to the bottom of them.*

Licensors will assess gaps between the tops of slides and platforms for possible strangulation hazards.

Directly adjacent to the use zone of a piece of stationary play equipment means within 6 inches of the perimeter of the use zone.

Level 1 Noncompliance: If there is a strangulation hazard on a slide, swing, or merry-go-round.

Level 2 Noncompliance otherwise.

(10) (o) There shall be no crush, shearing, or sharp edge hazards in or adjacent to the use zone of any piece of stationary play equipment.

Rationale / Explanation

This rule is based on guidelines from the Consumer Product Safety Commission, which are intended to prevent injury to children.

A crush hazard is created when two parts of a piece of play equipment come together in such a way that they could crush a child's fingers, toes, or other body parts. A shearing hazard is created when two parts of a piece of play equipment move against each other in such a way that they could sever a child's fingers or other body parts. A sharp edge hazard is created when there is a sharp point or edge on a piece of play equipment that could cut or puncture a child's skin. CFOC, pgs. 216-217 Standard 5.075; pg. 260 Standard 5.184, 5.185

R430-100-6. OUTDOOR ENVIRONMENT.

Enforcement

Centers must be in compliance with this rule by 31 December 2010.

The use zone extends all the way up the height of the equipment, and on the top of the equipment. This means there cannot be tree branches or anything else that creates a crush, shearing, or sharp edge hazard in the use zone above the equipment.

Directly adjacent to the use zone of a piece of stationary play equipment means within 6 inches of the perimeter of the use zone.

Fence post stirrups without posts in them are considered to be a sharp edge hazard.

Always Level 2 Noncompliance.

(10) (p) There shall be no tripping hazards, such as concrete footings, tree stumps, tree roots, or rocks within the use zone of any piece of stationary play equipment.

Rationale / Explanation

This rule is based on guidelines from the Consumer Product Safety Commission, which are intended to prevent injury to children. CFCO, pgs. 216-217 Standard 5.075

Enforcement

Centers must be in compliance with this rule by 31 December 2011.

Trip hazards in use zones may be created by: concrete footings, tree stumps, tree roots, or rocks.

Always Level 3 Noncompliance.

TABLE 4	
Phase-in Schedule for Stationary Play Equipment Rules	
By December 2007	
R430-100-6(10)(a)(viii)	Infant and toddler swings shall have enclosed seats.
R430-100-6(10)(d-h)	There is protective cushioning in all existing use zones that meets the requirements for depth and ASTM Standards.
By December 2008	
R430-100-6(10)(i)	Stationary play equipment that has a designated play surface less than the height specified in Table 3, and that does not have moving parts children sit or stand on, is not placed on concrete, asphalt, dirt, or any other hard surface, unless equipment is installed in concrete or asphalt footings.
R430-100-6(10)(n)	There are no protrusion or strangulation hazards in or adjacent to the use zone of any piece of stationary play equipment.
By December 2009	
R430-100-6(10)(a)(i)	There is no designated play surface on infant and toddler equipment that exceeds 3

TABLE 4	
Phase-in Schedule for Stationary Play Equipment Rules	
	feet in height.
R430-100-6(10)(i)	Stationary play equipment that has a designated play surface less than the height specified in Table 3, and that does not have moving parts children sit or stand on, is not placed on concrete, asphalt, dirt, or any other hard surface.
By December 2010	
R430-100-6(10)(j-l)	Protective barriers are installed on all stationary play equipment that requires them, and the barriers meet the required specifications.
R430-100-6(10)(m)	There are no openings greater than 3-1/2 by 6-1/4 inches and less than 9 inches in diameter on any piece of stationary play equipment, or within or adjacent to the use zone of any piece of stationary play equipment.
R430-100-6(10)(o)	There are no crush, shearing, or sharp edge hazards in or adjacent to the use zone of any piece of stationary play equipment.
By December 2011	
R430-100-6(10)(a)(ii-vii) R430-100-6(10)(b)	All stationary play equipment has use zones that meet the required measurements.
R430-100-6(10)(c)	Two-year-olds may play on infant and toddler play equipment. <i>(Note: Two-year-olds may play on infant and toddler equipment before December of 2011 if the equipment meets all of the requirements of R430-100-6(13) before December 2011.)</i>
R430-100-6(10)(p)	There are no tripping hazards, such as concrete footings, tree stumps, tree roots, or rocks within the use zone of any piece of stationary play equipment.

R430-100-6. OUTDOOR ENVIRONMENT.	
(11) The provider shall maintain playgrounds and playground equipment to protect children's safety.	
<u>Rationale / Explanation</u>	
<i>Proper maintenance of playgrounds and playground equipment is a key factor in ensuring a safe play environment for children. Each playground is unique and requires a routine maintenance check program developed specifically for that playground. CFOC, pgs. 216-217 Standard 5.075; pgs. 262-263 Standard 5.194, 5.196</i>	
<u>Enforcement</u>	
<i>Adequate maintenance includes the following:</i>	
<ul style="list-style-type: none"> • <i>Ensuring that there are no missing, bent, broken, or worn out components that could cause equipment to fail.</i> • <i>Ensuring that all hardware is secure, and there are no missing nuts or bolts that could cause the equipment to fail.</i> • <i>Ensuring that equipment does not have excessive wear that could cause the equipment, or a component of it, to fail.</i> • <i>Ensuring that metal is not rusted or corroded to the point that it could cause the structure to fail.</i> • <i>Ensuring that wood on children's play equipment is not rough or splintery.</i> • <i>Ensuring that all equipment and equipment parts are stable.</i> 	

R430-100-6. OUTDOOR ENVIRONMENT.

Fence post stirrups without posts in them are considered to be a sharp edge hazard.

Level 1 Noncompliance: If the lack of maintenance could cause equipment failure.

Level 3 Noncompliance otherwise.