



Office of the City Manager

ACTION CALENDAR  
December 13, 2005

To: Honorable Mayor and  
Members of the City Council

From: Parks & Recreation Commission

Submitted by: Yolanda Huang, Chair, Parks & Recreation Commission

Subject: Berkeley Skate Park Rule Enforcement

RECOMMENDATION

That City Council direct the City Manager to begin a process of conciliation involving skate park users and relevant City representatives which may include reconsideration of current City Ordinance involving knee pads and helmets in light of current State Law.

FISCAL IMPACTS OF RECOMMENDATION

Staff time would be required to meet with users.

CURRENT SITUATION AND ITS EFFECTS

The City has enforced a City Ordinance requiring the wearing of helmets and kneepads. Skate Park users voiced concern that most skate parks do not enforce wearing of helmets and pads and that the City Ordinance goes unnecessarily above and beyond what State Law requires.

BACKGROUND

Representatives of “Friends of the Berkeley Skate Park” corresponded to the Parks & Recreation Commission in June regarding issues surrounding enforcement of rules at the Skate Park. They were subsequently invited to the June 27 Commission meeting. Several users of the Skate Park were heard. Skate park users stated that:

1. State law protects the City from liability when it categorized skateboarding as an ultra hazardous activity so there was no need for enforcement of the City ordinance,
2. There is no clear definition of what constitutes knee and elbow pads,
3. The police singled out adolescent and older skateboarders while not ticketing young skateboarders,
4. The police conduct of lining up all offending skateboarders along the fence and lecturing them en masse was offensive.
5. This latest effort to enforce the skatepark rules was made internally by city staff without consulting stake holders.

A representative of the police department also spoke that they were only enforcing the ordinance per request from City Staff.

It was M/S/C (Weissman, Huang) to recommend that City Council direct the City Manager to begin a process of conciliation involving skate park users and relevant City representatives, which may include reconsideration of current City Ordinance involving knee pads and helmets in light of current State Law.

Yes: Chavez, Huang, Porter, Price, Gurdziel, Becker, Weissman; Noes: None; Absent: Barrantes

CONTACT PERSON

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