

DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT

Division of Environmental Health and Sustainability

COLORADO HAZARDOUS PLAYGROUND EQUIPMENT REGULATIONS

6 CCR 1010-18

[Editor's Notes follow the text of the rules at the end of this CCR Document.]

1.0 ADMINISTRATION

- 1.1 Authority: Section 25-5-508(2)(C)(I), Colorado Revised Statutes 1973, as amended.
- 1.2 Adopted: May 4, 1990
- 1.3 Effective Date: June 30, 1990
- 1.4 Purpose: The purpose of these regulations is to safeguard the health of children from playground equipment that present mechanical hazards.
- 1.5 Application: These regulations shall apply to all schools providing playground equipment intended for the use of: children in playground activities.

2.0 DEFINITIONS;

- 2.1 Approved: Is acceptable to the Colorado Department of Health or its authorized agents or employees, based on determination as to conformance with appropriate standards and good public health practice.
- 2.2 Department: The Colorado Department of Health and its authorized agents and employees.
- 2.3 Executive Director: The Executive Director of the Department of Health.
- 2.4 Hazardous Substance: In accordance with C.R.S. 1973, 25-5-502(10)(b)(III), means any toy or other article Intended for use by children which the Department by Regulation determines, in accordance with Section 25-5-508, presents an electrical, mechanical or thermal hazard.
- 2.5 Mechanical Hazard: In accordance with C.R.S. 1973, 25-5-502(14), means an article, the design or manufacture of which in normal use or when subjected to reasonably foreseeable damage or abuse, presents an unreasonable risk of personal injury or illness from fracture, fragmentation, or disassembly of the article; from propulsion of the article or any part or accessory thereof; from points or other protrusions, surfaces, edges, openings, or closures of the article; from moving parts or the article; from lack or insufficiency of controls to reduce or stop the motion of the article; as a result of self-adhering characteristics of the article; because the article or any part or accessory thereof, may be aspirated or ingested; because of the instability of the article; or because of any other aspect of the article's design or manufacture.
- 2.6 Playground Equipment: Play equipment intended for use by children in playground activities, including but not limited to, swings, teeter-totters, merry-go-rounds, slides, climbing structures, and tires, spools and concrete pipe. The term does not include equipment normally intended for sports' use or playground equipment used at home.

- 2.7 School: Any facility (public, proprietary, parochial, denominational, or eleemosynary) which is maintained for educational purposes for six or more persons except:
- a. Structures or facilities used by a religious, fraternal, political or social organization exclusively for worship, religious, instructional or entertainment purposes pertaining to that organization.
 - b. Educational programs and health facilities licensed by the Colorado Department of Health under provisions of 25-3-101, Colorado Revised Statutes (CRS) 1973, as amended.
 - c. Child Care Facilities Licensed by the Colorado Department of Social Services under provisions of Sections 26-6-102 (l)(a)(b)(4) and 26-6-104 Colorado Revised Statutes 1973, as amended.

3.0 PLAYGROUND EQUIPMENT; CRITERIA FOR DETERMINING MECHANICAL HAZARDS.

- 3.1 The following criteria shall apply in determining whether playground equipment presents a mechanical hazard;
- a. Equipment is structurally unstable or not constructed of durable, weather resistant materials.
 - b. Presence of projecting screws or bolts, sharp cutting edges, pinch points or splinters.
 - c. The diameter of ring openings and clearances between structural members not less than three and one half (3.5") inches or not greater than nine (9") inches.
 - d. Equipment ladders intended for foot use not having a minimum incline of fifteen degrees (15°) forward from vertical or lack of adequate grab rails on both sides. Chain ladders intended for foot and hand use are excluded from this requirement.
 - e. Deformation of open hooks, rings and links; worn chains, hangers or bearings; or broken or missing rails, steps, rungs and seats.
 - f. A surface that lacks protective covering such as pea gravel, sand, mulching, or other approved shock absorbing material provided on the ground where playground equipment is located.

4.0 USE OF HAZARDOUS PLAYGROUND EQUIPMENT BANNED

- 4.1 Playground equipment meeting any of the criteria of section 3.0 are deemed to present a mechanical hazard and are declared hazardous substances.
- 5.0 These regulations shall not limit the powers and duties of Local Governments to issue such orders and adopt regulations as stringent as or more stringent than the provisions contained herein, as may be necessary for Public Health and Safety.

Editor's Notes

History