

ORDINANCE NO. _____

1 AN ORDINANCE repealing Lincoln Municipal Code Chapter 5.54 relating to
2 Trampoline Centers as the provisions and requirements of this chapter are obsolete.

3 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

4 Section 1. That Chapter 5.54 of the Lincoln Municipal Code be and the same is hereby
5 repealed.

6 ~~5.54.010 — Definitions.~~

7 ~~For the purpose of this chapter, certain terms used herein are defined as follows:~~

8 ~~Trampoline shall mean a device consisting of a bed of canvas, fabric, or other material~~
9 ~~attached to a framework by springs, rubber coils, or other elastic material upon which a person can~~
10 ~~jump, bounce, or perform acrobatic tumbling.~~

11 ~~Trampoline center shall mean any place of business open to the public for the purpose of~~
12 ~~offering the use of a trampoline at a price.~~

13 ~~To use a trampoline shall mean to jump, bounce, or tumble, or otherwise perform tricks,~~
14 ~~stunts, or acrobatics upon, or otherwise use, such trampoline.~~

15 ~~Supervisor shall mean a person trained and experienced in the supervision and control of~~
16 ~~persons in the use of trampolines as provided herein.~~

17 ~~Spotter shall mean a person in close proximity to a trampoline whose function is to assist and~~
18 ~~protect the safety of another person while the latter is using a trampoline.~~

19 ~~To operate a trampoline center shall mean to manage, conduct, maintain, carry on, or own~~
20 ~~the business of operating a trampoline center.~~

21 ~~5.54.020 — Certificate of Registration; Requirement; Application.~~

22 ~~From and after the effective date of this chapter, it shall be unlawful for any person, partner-~~
23 ~~ship, or corporation to operate a commercial trampoline center within the corporate limits of Lincoln,~~
24 ~~Nebraska, without first having obtained a certificate of registration therefor as hereinafter provided.~~

25 ~~Application for the certificate of registration shall be made to the City Clerk upon forms to~~
26 ~~be supplied by the city, containing the following information:~~

- 27 ~~(a) Name and address of the applicant;~~
- 28 ~~(b) Business capacity of applicant (corporation, partnership, sole proprietor, or other);~~
- 29 ~~(c) Name and address of manager;~~
- 30 ~~(d) Location of proposed facility;~~
- 31 ~~(e) Number of trampolines to be located at each center;~~
- 32 ~~(f) Such other information respecting the proposed facility as may be required by either~~
33 ~~the City Clerk or by the building official.~~

1 **5.54.030 — Registration Fee.**

2 — Every applicant for such registration shall pay a fee of fifteen dollars for each commercial
3 trampoline center. Such registration certificate shall expire on the first day of June next succeeding
4 the issuance thereof, and thereafter may be renewed upon payment of an annual fee of fifteen dollars.

5 **5.54.040 — Issuance of Registration Certificate.**

6 — The Director of Building and Safety shall, upon compliance with the provisions of this chapter
7 by the applicant, and upon the issuing of a building permit therefor as provided in Section 5.54.050
8 hereof, issue a certificate of registration for such trampoline center.

9 **5.54.050 — Special Building Permit; Application and Plans.**

10 — Every person, partnership, or corporation who locates and constructs a commercial trampoline
11 center within the corporate limits shall first procure a special permit from the city building official.

12 — Each such application shall be accompanied by two sets of plans and specifications, each page
13 of which shall be appropriately identified as to name of applicant and location of facility and signed
14 by the applicant and showing, to the satisfaction of the building official, the following:

15 — (a) — The plot plan or layout of the components of the facility, including size, location, and
16 height of all trampolines (including bed and framing), buildings, seating, fences and other structures,
17 lighting, entrances and exits, landscaping, off-street parking facilities, and the like.

18 — (b) — Elevation plan showing cross-section in detail of typical trampoline equipment in
19 place, including excavation, structural support and manner of installation, and indicating the size and
20 nature of construction materials to be used in connection therewith.

21 — (c) — Specifications showing type and manufacturer of trampoline equipment and padding,
22 including materials of construction, capacity, and the like. (Manufacturer's specifications, if
23 complete, may be submitted for this purpose.)

24 — The applicant for such permit shall pay a fee of fifteen dollars for such permit which shall be
25 paid before the permit is issue. No permit shall be issued within any district in which such
26 commercial trampoline center is prohibited by the zoning ordinance as it now exists or may hereafter
27 be amended, nor shall such center be located within 500 feet of the main entrance of any church or
28 building where church services are regularly conducted.

29 — If the building official is satisfied that the application for permit and accompanying documents
30 and the proposed trampoline center conform to the requirements of this chapter and other applicable
31 laws, and that the prescribed fees have been paid, the building official shall issue a special building
32 permit therefor to the applicant. Such permit may be in the form of a city building permit whose
33 caption has been amended by the Department of Building and Safety to read "building permit=
34 trampoline," in which case such permit, when issued, shall constitute any required building permit
35 for construction under the building code.

36 — Nothing herein shall be deemed to relieve the applicant of complying with any applicable
37 permit fee or permit application requirements contained in the building code or other ordinances of
38 the city.

39 **5.54.060 — Amendment of Plans.**

40 — Any person who desires to make any addition to, or change or alteration in a trampoline center
41 or any part thereof which is not shown on or in conformity with plans and specifications previously
42 filed by such person as required in Section 5.54.050 hereof, shall first file an application for an
43 amended permit accompanied by appropriate amended plans and specifications showing such change

1 or changes. The fee for filing such application shall be fifteen dollars, and proceedings shall be had
2 on such application as set forth in Section 5.54.050.

3 **5.54.070 — Construction to Comply with Plans.**

4 — After issuance of a permit, no person shall construct, install, or operate a trampoline center
5 which is, or any portion or facility of which is designed or constructed other than in accordance with
6 the plans and specifications on file with the building official and upon which a permit or amended
7 permit has been issued.

8 **5.54.080 — Construction and Installation Specifications.**

9 — It shall be unlawful for any person to operate a trampoline center unless:

10 — (a) — The minimum distance from any trampoline, measured from the outside dimension
11 of the frame, to any other trampoline or structure or other obstruction, shall be at least five feet at the
12 ends and four feet at the sides and around the corners.

13 — (b) — There shall be maintained above each trampoline a clearance of fifteen feet from any
14 ceiling, roof, wire, or other overhead obstruction.

15 — (c) — The trampoline apparatus shall be of quality approved by the National Collegiate
16 Athletic Association and the Amateur Athletic Union.

17 — (d) — The rigid framework of each trampoline shall be completely covered at the ends, sides,
18 and corners with padding approved by the National Collegiate Athletic Association and the Amateur
19 Athletic Union.

20 — (e) — The trampoline shall be strung over a pit level with the ground and the trampoline shall
21 be at least twelve feet long and six feet wide in size.

22 — (f) — The center of each trampoline bed shall be clearly marked with a cross or bull's-eye.

23 — (g) — The pit over which the trampoline is strung shall be excavated, constructed, and
24 maintained to provide a shelf or ledge beneath all springs, elastic bands, or other recoil or rebound
25 mechanism attached to the bed, which shelf or ledge shall be positioned and dimensioned as follows:
26 Not less than ten inches nor more than sixteen inches below such recoil or rebound mechanism and
27 of a width sufficient to extend laterally below all of such springs or recoil mechanism to a point
28 approximately two inches outside and below the perimeter of the bed. All other portions of the pit
29 beneath the bed shall be excavated, constructed and maintained with a downward side and end slope
30 of approximately one-to-one from the inner edge of such shelf or ledge to a depth of thirty-nine inches
31 throughout at the center; provided, that each pit shall in any event be so constructed as to preclude
32 the touching of the bottom thereof while anyone is using said trampoline.

33 — (h) — Each trampoline shall be rigidly installed to prevent shifting of the equipment while
34 in use.

35 — (i) — All trampoline equipment, including the bed, springs, frame, and padding shall be
36 maintained in a good state of repair.

37 — (j) — The ground or floor area between and around all trampolines up to the distances
38 described in subparagraph (a) hereof shall be covered with a minimum of one and one-half inches of
39 pea gravel in the case of bare ground, or three inches in the case of hard surfaces such as concrete or
40 asphalt. A substitute covering material may be used if it is approved by the building official as having
41 equivalent or better shock absorbent characteristics.

42 — (k) — The trampoline center (excluding that portion devoted to off-street parking) shall be
43 completely surround by a fence of at least five feet in height, or by any structure equivalent thereto.

1 ~~—— (l) —— Any ticket office, observation booth, or other structure of similar purpose or use shall~~
2 ~~be constructed and maintained in such a manner as to afford any occupant thereof, at all times a clear~~
3 ~~and unobstructed view of all trampolines in the facility.~~

4 ~~—— (m) —— There shall be conveniently located upon the premises a telephone available for~~
5 ~~emergency use at all times. There shall be conspicuously posted on or near such telephone the phone~~
6 ~~number of available emergency medical service and of the Fire and Rescue Department and Police~~
7 ~~Department.~~

8 ~~—— (n) —— There shall be kept on the premises at all times a fully stocked first aid kit at least~~
9 ~~equivalent to the American Red Cross 16-unit field cabinet, and in addition, two standard size wool~~
10 ~~blankets.~~

11 ~~—— (o) —— Permanent and separate toilet and wash basin facilities shall be provided on the~~
12 ~~premises for both men and women.~~

13 ~~—— (p) —— Any trampoline center which is open to the public after sunset shall provide sufficient~~
14 ~~lighting to uniformly illuminate each trampoline bed with a light intensity of not less than five foot-~~
15 ~~candles. No lighting shall be installed in such a manner as to reasonably be disturbing or annoying~~
16 ~~to any nearby occupier of property or hazardous to passing motorists.~~

17 ~~**5.54.090 —— Hours of Operation.**~~

18 ~~—— It shall be unlawful to permit any such trampoline center to remain open to the public between~~
19 ~~the hours of 11:00 p.m. to 8:00 a.m., or to permit or otherwise allow any overhead lights thereof to~~
20 ~~remain on after 11:30 p.m.~~

21 ~~**5.54.100 —— Supervisor; Qualifications.**~~

22 ~~—— (a) —— It shall be unlawful for any person to operate a trampoline center unless there be~~
23 ~~present at the trampoline center at all times it is open to the public a supervisor devoting his or her~~
24 ~~entire time and attention to the activity on the trampoline or trampolines. There shall be one~~
25 ~~supervisor on duty for each twelve trampolines, or fraction thereof, in use.~~

26 ~~—— (b) —— It shall be unlawful for any person to be appointed or employed to act as a supervisor~~
27 ~~unless such person:~~

28 ~~—— (1) —— Is at least twenty-one years of age;~~

29 ~~—— (2) —— Is of good character;~~

30 ~~—— (3) —— Knows the safety requirements of this chapter;~~

31 ~~—— (4) —— Has completed a standard American Red Cross course in first aid or its~~
32 ~~equivalent and holds a valid certificate evidencing such fact;~~

33 ~~—— (5) —— Has demonstrated the ability to competently perform the following trampoline~~
34 ~~maneuvers: feet bounce, knees bounce, seat drop, front drop, back drop, hands and knees bounce.~~

35 ~~**5.54.110 —— Operation of Trampoline.**~~

36 ~~—— (a) —— It shall be unlawful for any person who operates a trampoline center, or any supervisor~~
37 ~~or employee thereof, to permit or otherwise allow:~~

38 ~~—— (1) —— More than one person to use a trampoline at any one time;~~

39 ~~—— (2) —— Any person to use any trampoline otherwise than in accordance with accepted~~
40 ~~gymnastic practice relating to such use;~~

41 ~~—— (3) —— Any person to bounce, or attempt to bounce, from one trampoline to another,~~
42 ~~or to jump, or attempt to jump onto or off a trampoline.~~

1 ~~_____ (4) Any person to perform advanced tricks, stunts, or acrobatics, such as the~~
2 ~~somersault, twist, or any variation or variations thereof on any trampoline, unless there be present and~~
3 ~~observing and ready to assist at least one supervisor or two spotters:~~

4 ~~_____ (5) Any child under seven years to use a trampoline unless there is present and~~
5 ~~observing and ready to assist, the parent or guardian of such child, or a responsible person designated~~
6 ~~by such parent or guardian or a supervisor.~~

7 ~~_____ (6) Any person to bring any food or beverage upon, or to eat any food or drink any~~
8 ~~beverage, except to drink water from a drinking fountain, upon the premises of any trampoline center:~~

9 ~~_____ (7) Smoke upon the premises of a trampoline center.~~

10 ~~_____ (b) It shall be unlawful for any person to:~~

11 ~~_____ (1) Use a trampoline while another person is using the same trampoline.~~

12 ~~_____ (2) Bounce, or attempt to bounce, from one trampoline to another, or to jump, or~~
13 ~~attempt to jump onto or off a trampoline. Everyone using a trampoline shall be required to walk onto~~
14 ~~the trampoline or to walk off the trampoline.~~

15 ~~_____ (3) Perform advanced tricks, stunts, or acrobatics, such as the somersault, twist,~~
16 ~~or any variation or variations thereof, unless permission has been secured from the manager or~~
17 ~~supervisor of the trampoline center then on duty.~~

18 ~~_____ (4) Knowingly use any trampoline otherwise than in accordance with accepted~~
19 ~~gymnastic practice relating to such use.~~

20 ~~_____ (5) Eat any food, or drink any beverage, except drink water from a drinking~~
21 ~~fountain, upon the premises of any trampoline center.~~

22 ~~_____ (6) Smoke upon the premises of a trampoline center.~~

23 ~~_____ (c) Nothing in this section shall be deemed to prevent any person who operates a~~
24 ~~trampoline center, or any supervisor or employee thereof, from doing any of the acts mentioned in~~
25 ~~subsection (b) in the performance of assigned duties.~~

26 ~~**5.54.120 Posting Safety Rules.**~~

27 ~~_____ It shall be unlawful for any person to operate a trampoline center unless there shall be posted~~
28 ~~in one or more conspicuous and well-lighted places a sign or signs prominently displaying the sub-~~
29 ~~stance of the rules for the use of trampolines contained in Section 5.54.110 hereof, as they apply to~~
30 ~~users of trampolines. Nothing herein is intended to preclude the posting of any other safety rules.~~

31 ~~**5.54.130 Liability Insurance.**~~

32 ~~_____ Before any certificate of registration is issued for any trampoline center, the applicant therefor~~
33 ~~shall deposit with the City Clerk a certificate of liability insurance coverage in an amount not less than~~
34 ~~\$300,000.00 for bodily injury or death per occurrence. Such insurance shall include a provision~~
35 ~~saving harmless the City of Lincoln from any and all liabilities or causes of action which might arise~~
36 ~~from the operation of such trampoline center. Such certificate shall be approved by the City Attorney~~
37 ~~of Lincoln and shall provide that it cannot be cancelled until ten days written notice of such~~
38 ~~cancellation shall have been filed with the City Clerk.~~

39 ~~**5.54.140 Persons Prohibited.**~~

40 ~~_____ It shall be unlawful for any person who operates a trampoline center, or any supervisor or~~
41 ~~employee thereof, to knowingly harbor, admit or receive, or permit to remain in or about such place~~
42 ~~any intoxicated person, or any person under the influence of intoxicating liquor or drugs.~~

1 ~~**5.54.150 — Registration Certificate; Revocation or Suspension; Not Transferable.—**~~

2 ~~It shall be a condition of such certificate of registration that it may be suspended or revoked~~
3 ~~at any time by the City Council for violation of any of the provisions of this chapter, or any related~~
4 ~~ordinances of the city. No person shall operate any trampoline center pursuant to a certificate of~~
5 ~~registration which has been suspended or revoked under this section.~~

6 ~~Such registration shall not be assignable or transferable.~~

7 ~~**5.54.160 — Penalty for Violations.—**~~

8 ~~Any person upon whom a duty is placed by the provisions of this chapter who shall fail,~~
9 ~~neglect, or refuse to perform such duty, or who shall violate any of the provisions of this chapter, shall~~
10 ~~be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not to~~
11 ~~exceed \$100.00. Each day that a violation of this chapter continues shall constitute a separate and~~
12 ~~distinct offense and shall be punishable as such. The penalty herein provided for shall be cumulative~~
13 ~~with and in addition to the revocation, cancellation, or suspension of the registration and permit~~
14 ~~elsewhere in this chapter provided.~~

15 Section 2. Pursuant to Article VII, Section 7 of the City Charter, this ordinance shall
16 be posted on the official bulletin board of the City, located on the wall across from the City Clerk’s
17 office at 555 S. 10th Street, in lieu of and in place of newspaper publication with notice of passage
18 and such posting to be given by publication one time in the official newspaper by the City Clerk. This
19 ordinance shall take effect and be in force from and after its passage and publication as herein and
20 in the City Charter provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2014: _____ Mayor
