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Stephen Giesbrecht, Borough Manager
Petersburg Borough
PO Box 329
Petersburg, Alaska 99833

Re: Borough Community Center

Dear Steve:

This follows up on our conversations regarding my recommendation that the Borough consider raising the minimum age to enter the Community Center without a parent or guardian. Currently, children aged 6 and above may be at the facility without adult supervision; our most recent discussions have been to increase that age so children 10 and under require a parent or guardian. Any age limitation would typically not impact children participating in an organized activity, such as Viking Swim Club.

Such age limitations at public recreational facilities are imposed, in general, to maximize safety and prevent injury. This would include injury from accidents at the facility itself (from use of a pool, sauna, fitness equipment, etc.), and also to safeguard young children from harm by adults or other minors. This is an unfortunate reality, even in smaller town Alaska. In Sitka later this month, a man is going on trial for taking photographs of nude minors in a community pool locker room.

As we learned from the information provided by the Borough's insurer (Alaska Public Entity Insurance), there are a range of age limitations imposed by Alaska municipalities in regard to recreational facilities, and aquatic centers specifically. This kind of range is also typical for public facilities outside of Alaska. The survey conducted by the insurer's Risk Manager showed that some facilities set age restrictions only for pool use when not accompanied by an adult, sometimes along with a swim test (including Haines (7 yo), Ketchikan (7 yo), Juneau (8 yo), Wasilla (8 yo), Kenai Peninsula Borough's Nikiski Pool (9 yo) and Valdez (10 yo)), while other facilities have overall age restrictions (e.g. in Fairbanks, children 12 years and younger may not be left unattended in the facility; at the Hames Center in Sitka, children under 11 must be accompanied by a supervising adult at all times). One public facility imposes restrictions during specific hours (e.g., Cordova's facility restricts unsupervised access by those under 12 during certain

extended hours). Most facilities also impose age restrictions on the use of certain equipment (typically in weight rooms) and other items, such as saunas.

Restricted access ages tend to be lower at public facilities than at private for-profit businesses, where liability concerns dominate. For example, Pavitt Health and Fitness in Juneau requires adult supervision up to the age of 13, and Alaska Clubs (throughout the State) require supervision up to 14 years of age. The YMCA (a non-profit agency) requires those 6-11 years of age to be supervised in the pool area at all times.

There is no one age restriction which is the right fit for all facilities and for all communities. It will depend upon a number of factors, including facility design (such as ability to both restrict and control access to the facility, and adequately supervise the facility), available security measures, typical number of unsupervised minors at the facility at any one time, and the amount of available staffing. In general terms, the lower the age, the higher the risk for potential injury to unsupervised minors. With increased risk can come higher costs, including insurance premiums.

I reviewed many of the letters received by the Borough on this topic. A number of them agree that the age should be raised from the current age of 6, and the discussion is focused on the particular age and other improvement measures at the facility. Strictly from a legal standpoint, given the access and design concerns at the Community Center, increasing the age of unsupervised children from 6 years old would be prudent (regardless of whether additional parental waivers of liability are obtained), and 10 years old and younger falls within the normative range. In any facility, outside of organized events, parents/guardians or older minors should be primarily responsible for young children, not Borough employees, unless the Borough has considered and undertaken to provide such oversight. I think everyone has the same goal here -- to maximize the safety and security of children within public facilities, while being aware of and sensibly managing the risks.

Please do not hesitate to contact me if there are additional questions.

Sincerely,



Sara E. Heideman