

# Ordinance No. 1119

**AN ORDINANCE to amend The Code of the City of Alexandria, Virginia 1953, as amended, by adding thereto a new Chapter entitled 32-B, which said Chapter 32-B relates to REBOUND TUMBLING CENTERS, STANDARDS GOVERNING THEIR CONSTRUCTION, OPERATION, and MAINTENANCE, PERMITS FOR OPERATION, and FIXES PENALTIES FOR VIOLATIONS.**

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

Section 1. That The Code of the City of Alexandria, Virginia, 1953, as amended be and the same hereby is amended by adding thereto a new Chapter numbered 32-B to read as follows:

## CHAPTER 32-B

### REBOUND TUMBLING CENTERS

#### Sec. 32B-1 DEFINITIONS.

For the purposes of the Chapter, the following words and phrases shall have the meaning ascribed to them in this Section, unless otherwise expressly stated or the context clearly indicates a different intention.

**DIRECTOR OF RECREATION.** The legally designated Director of Recreation of the City of Alexandria, Virginia or his authorized representative.

**PERMIT.** A written permit issued by the Director of Recreation to maintain and operate a Rebound Tumbling Center issued under the provisions of this Chapter and which permit shall be separate and distinct from any other business license or permit which may otherwise have been issued for the conduct of any business other than that of a Rebound Tumbling Center.

**REBOUND TUMBLING MAT.** Any rebound or recoil tumbling mat or net, or any similar rebound or recoil device or apparatus of any type of construction or installation designed or intended to be used by any person for bouncing, tumbling, springing, acrobatic or gymnastic activity, or any other amusement, recreational or athletic purpose.

**REBOUND TUMBLING CENTER.** Any facility open to the use of the general public within or upon which any rebound tumbling mat is installed, maintained or operated, irrespective of whether or not a charge is made for its use.

**OPERATOR.** The individual in control of the management and operation of a Rebound Tumbling Center, or any person acting by and with the authority of the person so in control.

#### Sec. 32B-2 PERMIT FOR OPERATION REQUIRED.

It shall be unlawful for any person to establish, construct, operate or maintain, or offer for use, any Rebound Tumbling Center located within the limits of the City of Alexandria, Virginia, unless he holds a valid permit issued by the Director of Recreation, in the name of such person for the specific Rebound Tumbling Center and a special use permit has been granted by the City Council pursuant to the provisions of Article X, Chapter 35, of the City Code. The requirement that such permits shall be obtained is in addition to any other

permits or licenses, required by the Commonwealth of Virginia, The Code of the City of Alexandria, Virginia, the City Council or any department, board, agency, or commission of the City of Alexandria, Virginia.

**Sec. 32B-3 APPLICATION FOR PERMIT.**

Each application for a permit shall be filed with the Director of Recreation in writing, signed by the applicant, and shall contain the following:

- a. The name and address of the applicant.
- b. The name and address of the operator of the Rebound Tumbling Center.
- c. The name and address of the owner of the real property upon which the Rebound Tumbling Center will be located.
- d. The area and dimensions of the tract of land to be used.
- e. Zone in which the location is situate and reference to the special use permit granted by the City Council.
- f. Nature of installation, viz. open ground or enclosed within roofed building or other structure.
- g. Number of Rebound Tumbling Mats to be installed and operated.

**Sec. 32B-4 LOCATION, SPACE AND GENERAL LAYOUT.**

The applicant shall attach to and file with the application detailed plans drawn to scale of a ratio of not less than one inch to 10 feet, which shall contain the following:

- a. Size and location of all rebound tumbling mats; size shall be indicated by the over-all dimension of the frame of the rebound tumbling mat.
- b. Size and thickness of all padding covering the framework of all rebound tumbling mats.
- c. Location and height of all fences, walls, or other barricades in or enclosing the Rebound Tumbling Center.
- d. The net overhead distance between the rebound tumbling mat and the ceiling or roof, if the center is located within the enclosure of any building or structure.
- e. Location and height of all poles bearing illumination fixtures, number of lights carried per pole and wattage per individual light.
- f. Course and maximum height of all overhead electric wiring, with an indication of all voltages carried thereby.
- g. Size and location of any office or any other building or structure existing and/or proposed located on the tract of land to be used.
- h. Layout of public address system and specifications of decibel output.
- i. Size and location of off-street parking area, showing each individual car space and aisle space and dimensions thereof.
- j. Size and location of all entrances and exits.

Such plans shall bear a certification of compliance with all affected City departments as specified on the approved special use permit, as required by Chapter 35 of The Code of the City of Alexandria, Virginia, 1953, as amended, before a permit is

issued by the Director of Recreation for the operation of such Rebound Tumbling Center.

One copy of the approved plans shall be kept as a permanent City record in the office of the Director of Construction and Inspection.

**Sec. 32B-5 SPECIFICATIONS.**

The applicant shall attach to and file with the application detailed specifications which shall include the following:

- a. Type of padding to be used on rebound tumbling mats.
- b. If other than pit type installation, detail of support of rebound tumbling mats, manner of securing to ground and/or floor, and minimum distance from rebound tumbling mat to ground and/or floor.
- c. Any further specification or plan which the Director of Recreation may reasonably require in order to enable him to determine compliance with this Chapter.

**Sec. 32B-6 ISSUANCE OF PERMIT.**

The Director of Recreation shall issue a permit to an applicant upon compliance with the provisions of this Chapter. Such permit shall be valid for a period of one year from date of issuance unless sooner revoked or suspended. Permits may be renewed annually. No permit may be transferrable and any person holding such a permit shall give notice in writing to the Director of Recreation within twenty-four hours after having sold, transferred, given away, or otherwise disposed of interest in or control of any Rebound Tumbling Center. Such notice shall include the name and address of the person or persons succeeding to the ownership or control of such Rebound Tumbling Center.

**Sec. 32B-7 INSPECTION OF REBOUND TUMBLING CENTERS.**

The Director of Recreation is hereby directed to make inspections to determine the condition of Rebound Tumbling Centers located within the City of Alexandria, Virginia in order that he may perform his duty of safeguarding the health and safety of persons using such Rebound Tumbling Centers.

The Director of Recreation shall have the power to enter at reasonable time upon any private or public property for the purpose of inspecting and investigating conditions relating to the enforcement of this Chapter or of regulations adopted pursuant thereto.

**Section 32B-8 SUSPENSION AND REVOCATION OF PERMIT.**

Whenever the Director of Recreation determines that there are reasonable grounds to believe that there has been a violation of any provision of this Chapter, or of any regulations adopted pursuant thereto, he shall give notice of such alleged violation to the person or persons responsible therefore, as hereinafter provided. Such notice shall:

- a. Be put in writing.
- b. Include a statement of the reasons for its issuance.
- c. Contain an outline of remedial action, which, if taken will

effect compliance with provisions of this Chapter, and any regulations adopted pursuant thereto.

Such notice shall be served upon the owner or his agent, or the operator as the case may require. Such notice or order shall be deemed to have been properly served upon such owner or agent, or upon such operator, when a copy thereof has been sent by certified or registered mail to his last known legal address.

If, after fifteen calendar days commencing from the day such legal notice is received by the owner or operator as the case may require, and the violation as exists is not corrected, the Director of Recreation shall send a notice of the violation to the City Manager.

The City Manager shall cause such alleged violations to be brought to the attention of the City Council, and the City Council may revoke or suspend the special use permit as provided in Article X, Chapter 35 of The City Code. A suspension or revocation of the special use permit shall be deemed a suspension or revocation of any permit granted by the Director of Recreation pursuant to this Chapter.

Whenever the Director of Recreation finds that a violation of this Chapter exists which he deems requires immediate action to protect the public health or safety, he shall issue an order requiring that action be taken to immediately correct the violation. If the violation is not immediately corrected, the Director of Recreation shall send a notice of the violation to the City Manager.

The City Manager shall forthwith cause such alleged violations to be brought to the attention of the City Council, and the City Council may revoke or suspend the special use permit as provided in Article X, Chapter 35 of The City Code. A suspension or revocation of the special use permit shall be deemed a suspension or revocation of any permit granted by the Director of Recreation pursuant to this Chapter.

#### **Sec. 32B-9 CONSTRUCTION AND INSTALLATION REGULATIONS.**

No Rebound Tumbling Center located within the City of Alexandria, shall be installed, maintained, or operated until the following regulations have been complied with:

- a. Measured from the outside dimension of the frame, the minimum distance between rebound tumbling mats shall be: End to end (longitudinal): 10 feet; side to side (lateral): 6 feet.
- b. All rebound tumbling mat frames shall be securely covered with padding of approved type construction and dimension.
- c. Any ceiling, roof or other covering shall be not less than 15 feet above the rebound tumbling mat.
- d. For pit-type rebound tumbling mats, the downward vertical distance from the rebound tumbling mat to the bottom of such pit shall not be less than 36 inches. The pit shall be constructed in such a manner so as to provide a shelf or ledge beneath all springs, elastic bands or other recoil or rebound mechanism attached to the rebound tumbling mat.
- e. All rebound tumbling mats other than pit-type, shall be firmly secured to the floor or ground.

- f. No Rebound Tumbling Center shall be open between the hours of 10:00 P.M. and 8:00 A.M.
- g. Any Rebound Tumbling Center open for use after the hour of sunset shall be illuminated with a light intensity of not less than 7 foot candles at the level of the rebound tumbling mat, however, where such Rebound Tumbling Center is located immediately adjacent, or across the street from any residential zone, or property used for residential purposes, such illumination shall be controlled and regulated so as not to create objectionable glare visible from any residential zone or properties.
- h. Upon every Rebound Tumbling Center, a public address system of sufficient capacity, design and volume shall provide at all times a voice transmission clearly audible to all persons within and upon the Rebound Tumbling Center. Such public address system shall be operated at all times for the sole purpose of directing and controlling the activities of all persons within and upon the center. The operating sound level of such public address system shall at no time exceed 20 decibels measured at 50 feet at any point beyond the perimeter of the Rebound Tumbling Center.
- i. The perimeter of the Rebound Tumbling Center, excluding the off-street parking area shall be enclosed with a sturdy fence no less than 6 feet in height.
- j. Off-street parking shall be provided having adequate means of ingress and egress. Such off-street parking facility shall be constructed and surfaced in accordance with prevailing City standards.
- k. No Rebound Tumbling Center shall be maintained or operated unless there is in full force and effect and covering the operation of the same a policy of public liability and property damage issued by a duly authorized insurance carrier, and insuring such operation within minimum public liability limits of \$100,000.00/\$200,000.00 and property damage limit of \$5,000.00.
- l. No rebound tumbling mat shall be any closer to another object than six feet.
- m. Sanitary facilities for both sexes shall be installed in accordance with the requirements of the Health Department of the City of Alexandria.

#### **Sec. 32B-10 GENERAL OPERATING REGULATIONS.**

Operating regulations which must be enforced by the Permittee at any Rebound Tumbling Center used by the public:

- a. No child under six years of age shall use any rebound tumbling mat at any time.
- b. No child between the ages of six and nine years shall use any rebound tumbling mat, except in the presence of a parent, legal guardian or other adult relative.
- c. Any rebound tumbling mat in use shall at all times be under the immediate supervision, direction and control of an author-

ized supervisor. The required number of supervisors shall be as follows:

1. 6 rebound tumbling mats or less in use: one supervisor.
2. For each additional 6 rebound tumbling mats in use, or fraction thereof: one additional supervisor for each such additional 6 rebound tumbling mats or fraction thereof.
- d. Each such supervisor or supervisors shall be an individual of good moral character and physical fitness trained and experienced in the safe use of and performance upon a rebound tumbling mat; and shall at all times be a qualified holder of the standard First Aid Certificate of the American Red Cross.
- e. An adequate first aid kit shall be kept on the premises, and be available at all times.
- f. Persons using any rebound tumbling mat shall be directed to perform thereon in accordance with accepted good gymnastic practice.
- g. Eating and drinking shall be prohibited on the premises.
- h. All persons shall be required to wear socks or shoes and a shirt or blouse while using a rebound tumbling mat.
- i. No rebound tumbling mat that is wet or damp shall be used at any time.
- j. Only one person shall be allowed to perform on any rebound tumbling mat at one time.
- k. A complete record of all injuries shall be kept and shall be open for inspection by the Director of Recreation at all times.
- l. All persons shall be required to register with the Supervisor, such registration to include the name, address, whom to contact in case of an accident, and the person's previous gymnastic experience.

**Section 32B-11**—Any person violating the provisions of Section 32B-2 of this chapter shall upon conviction, be punished by a fine not to exceed \$100.00 or by imprisonment in the City Jail for a period not to exceed thirty days or by both such fine and imprisonment.

Violations of said provisions may also be restrained, prohibited and enjoined in any proper court of equity jurisdiction.

The suspension or revocation of any permit shall not excuse any violation or permit it to continue.

Section 2. That this ordinance shall be published in a newspaper of general circulation in the City not later than five days following its introduction together with a notice containing the time and place for a public hearing. The Clerk of the Council shall note the date of introduction and first reading, the date of publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

LEROY S. BENDHEIM  
Mayor

Final Passage: April 25, 1961