

Part 4605 Design, Installation, Inspection and Maintenance of Playground Equipment
(Statutory Authority; General Business Law §399-dd)

§4605.1 Definitions

- (a) Construct means the building of a new playground or the building or replacement of major types of playground equipment within a preexisting playground or the modification of major types of playground equipment within a preexisting playground. This definition shall not include routine maintenance on playground equipment.
- (b) Playground means equipment, related structures, surfacing, fencing, signs, internal pathways, land forms and vegetation for the use of six or more children. For purposes of this part, playground does not include areas on one, two or three family residential properties or areas intended to serve as athletic fields or athletic courts.

§4605.2 Incorporation by Reference

The guidelines of the U.S. Consumer Product Safety Commission Handbook for Public Playground Safety are hereby incorporated by reference in this Part and have been filed in the Office of the Secretary of State of the State of New York, the publication so being filed being the booklet entitled: Handbook for Public Playground Safety, Publication No. 325, 2003. These guidelines incorporated by reference may be examined at the New York State Consumer Protection Board, 5 Empire State Plaza, Suite 2101, Albany, New York 12223 and the New York State Consumer Protection Board website at www.nysconsumer.gov, at the law libraries of the New York State Supreme Court, the Legislative Library and the New York State Department of Parks, Recreation and Historic Preservation.