

# That's just how the ball bounces

By Lisa Knapton

Here comes the sun, which means it's time to dust off the baseball bats, stripe the fields and charge up the golf carts! These are all fun outdoor activities, but they bring with them the risk of errant balls flying out of control. In most cases, members have no responsibility for the skill or lack of skill of players engaging in the sport, and many members post signage prominently at their athletic fields and golf courses to that effect. However, when the direction of ball play puts people or property *foreseeably* at risk, or if there are existing industry standards providing guidance on placement of protective barriers, members may have a duty to protect members of the public and private property by installing fencing or netting compliant with industry established standards.

Safety should be the first and most important concern when it comes to hosting sports. Properly selected and installed fencing and netting protects athletic field participants, coaches, and spectators from injury and nearby property from damage. The same holds true for golf courses, as it is important to keep golf balls within the range of play to prevent the same risks of injury to people and damage to property.

Protective fencing and netting provide safety but also serve to separate entire athletic areas while maintaining full visibility on both sides. This is helpful with athletic fields that share space with other playing fields, batting cages, adjacent playgrounds and nearby housing or other structures. Protective fencing and netting also add a level of sophistication to the look of your playing fields and golf courses. It sends a message to the public that the member is serious about the safety of players, spectators, members of the public, and property.

Members may wonder about the types of fencing needed and which areas of the field should be fenced. The American Society for Testing and Materials (ASTM) F2000-10 sets the standards for baseball and softball field fencing. It is important when selecting field fencing to follow the guidance set forth in this standard which provides the recommended minimum requirements for the installation of the various types of fencing used for these fields, as well as other sports facilities. These will likely be the standards members could be held to should an incident leading to a claim occurs. When purchasing fencing for athletic fields, it is important to know the size of the balls used and the skill level anticipated so the strength and hole size of the netting can be determined.

Golf courses can be even more challenging. Many courses were constructed in the middle of open land only to have homes and businesses built around the perimeter of the course over time. Errant balls flying out of golf courses will create conflicts between the abutting property owners and the golf course owners, creating bad relations until the issue is resolved. So, even

when a golf course was present first and the homes and businesses built after the fact, it can sometimes be an easier solution to install fencing or netting in those areas identified to be at risk, as opposed to constant conflicts with surrounding citizens.

When the decision has been made to install protective fencing or netting, it is important to work with a professional that has expertise in selection and installation of protective sports barriers. Once installed, it is crucial to set up routine inspection and maintenance schedules to ensure the fencing or netting remains in good repair and is without holes or deterioration. Netting or fences in worn out condition are difficult to defend from allegations of negligent maintenance. Inspections and maintenance performed should be documented and retained in accordance with the state's retention schedule.

For further information, contact your Risk Management Representative at WCIA. Also see WCIA's Liability Resource Manual guidelines **PAR.02**, *Golf Courses and Driving Ranges*, and **PAR.09**, *Ballfields*. The Liability Resource Manual is available through the Member Resources page on the WCIA website: <http://www.wciapool.org/member-resources>.