



## Report to Council

Department: Infrastructure Services

Division: Infrastructure Services

Date: July 6, 2020

Prepared by: Kevin Girard, P.Eng, MBA  
Director of Infrastructure Services

Report Number: Infrastructure Services-2020-07

Subject: Vulnerable Children and Children at Play Signage Requests

Number of Pages: 6 pages

### Recommendation(s)

**That** Infrastructure Services – 2020-07 entitled, “Vulnerable Children Signage Requests” prepared by Kevin Girard dated July 6, 2020 be received, and

**That** Council authorize and direct the Infrastructure Services Department to no longer install signage indicating ‘vulnerable children’ or ‘children at play’ in the Town of Essex, and

**That** Council authorize the removal of the existing ‘vulnerable children’ and ‘children at play’ signs when the existing signs fall into disrepair or when the child it serves reaches the age of majority or moves from the area, whichever comes first.

### Purpose

This report was developed to provide Council with a recommendation for requests to install ‘children at play’ and ‘vulnerable children’ signs within the Town of Essex.

## Background and Discussion

The US Federally adopted Manual on Uniform Traffic Control Devices (MUTCD) and the Ontario Traffic Manual (OTM) states the following about warning signs:

*"The purpose of a warning sign is to provide advance warning to the road user of unexpected conditions on or adjacent to the roadway that might not be readily apparent."*



**Figure 1: Vulnerable Children and Children at Play Signs**

However, child warning signs that convey the message "Blind Child", "Deaf Child" or "Autistic Child" (or such variables thereof), as shown in Figure 1, are not recognized by the Province of Ontario or Government of Canada as official traffic control devices and in many areas are no longer installed on public streets across the country. In fact, the MUTCD states:

*"The use of warning signs should be kept to a minimum as the unnecessary use of warning signs tends to breed disrespect for all signs."*

Child warning signs, such as those in Figure 1, have historically been installed in the Town of Essex, but have been discontinued in the last decade. The existing signs have been left in place until such a time as they are no longer serviceable as per the OTM reflectivity guidelines, or until the Town becomes aware that the family for which the signage was originally installed has moved from the neighbourhood. At that time, the signs are removed and not replaced.

Public agencies across the province, country, and continent have a variety of policies on 'children at play' and 'vulnerable children signage'. However numerous municipalities and public agencies have discontinued the installation of these signs for many reasons including:

- These signs do not describe where the child might be. Most streets within a residential area have children who react in the same way, and each driver must be aware of all children in a neighborhood environment.
- These signs often provide parents, drivers, and children with a false sense of security that all will be on guard when their children are playing in or near the street.
- When the novelty of such a sign wears off, the signs often become "part of the scenery" for drivers and thus can become ineffective quite quickly.
- Unique or unusual warning signs are a target for vandals and souvenir hunters and have a high replacement cost.
- Unique message signs have no legal meaning or enforceability nor established precedent for use in basic traffic engineering references. In fact, their use is discouraged because of both the lack of proven effectiveness and potential liability exposure. The presence of such signs could actually increase exposure to legal liability in that such signs could be seen to imply that safer conditions now exist for children to play in those identified areas or that by identifying some areas with unique warning signs but not other areas inconsistencies have now been created that may also incorrectly imply that there are certain areas where drivers need not be as vigilant. Drivers must be vigilant at all times and at all locations in the Town and by the same token there is no substitute for proper supervision and education of children as it relates to safety and traffic.
- Requests for placement of such signage typically are emotionally driven and the requests for signage placement are often seen as a remedy to traffic speed issues.

Furthermore, 'children at play' signs tend to propagate throughout residential neighborhoods, popping up on every block that has a child living on it. Again, when these signs appear too often, drivers tend not to give as much credibility to the signs, particularly if no children are seen

playing near the 'children at play' signs. When these signs appear too often, they raise questions like, "If there is no sign does that mean there are no children present and no need to watch for children?"

There is little to no evidence to suggest that these signs will result in any behavioural changes by drivers. The Institute of Transportation Engineer's (ITE's) Design and Safety of Pedestrian Facilities states that "No accident-based studies have been able to determine the effectiveness of [such] warning signs."

There is also little to no evidence to suggest that these signs provide any additional benefit to the safety of children. In fact, the ITE's Traffic Control Devices Handbook states that "Children at Play" and "[vulnerable] Children" signs should not be used since they may encourage children to play in the street and may encourage parents to be less vigilant.

Further, reports from many highway research programs, including the National Cooperative Highway Research Program (NCHRP), indicate that "Non-uniform signs, should not be permitted at any time, and the removal of any non-standard signs should carry a high priority".

For many of the reasons previously discussed, the public agencies and municipalities that have decided to continue to install these signs require some or all of the following from the requesting resident as part of their respective Sign Installation Procedure Policy:

- A physician's statement identifying the extent of the disability.
- Concurrence from the parents of their understanding that the sign will only remain in place for a predefined period (Typically five (5) year increments), and will be removed when the child reaches a specified age (typically thirteen (13) years of age), or no reconfirmation from the parents requesting the sign that the requirement for the sign is still valid after the initial five (5) year installation period. (Age confirmation may include a sworn statement of the child's date of birth).
- Written acknowledgement from the parents of their understanding that the sign is no guarantee of their child's safety and that they remain responsible for the monitoring of their child's activities.

- A commitment to notify the public agency in a timely manner of any positive changes in their child’s impairments (for example, cochlear implants, use of a hearing aids etc. for children with hearing impairments).
- A commitment to notify the public agency in a timely manner of any relocation to another place of residence.

These stipulations may require a commitment of disclosing personal information that many parents are uncomfortable and or unwilling to provide, and it requires close tracking from the governing public agency utilizing various forms including roll numbers and ownership information.

However, for the same reasons outlined in this report, it is recommended that Council support discontinuing the installation of this type of signage within the Town. Further, the recommendation to Council is that the existing signs shall remain in place only until the sign is no longer in good repair or the child reaches the age of majority or moves from the area, whichever comes first. At such time, the Town shall remove said signs.

## **Financial Impact**

Discontinuing the installation of ‘children at play’ and ‘vulnerable children’ signage will result in cost savings from not replacing signs once they are removed, as described in the discussion section. In addition, there would be a future cost savings to the Town from not installing new signs in the future.

## **Consultations**

Norman Nussio, Manager of Operation and Drainage

Robert Auger, Town Solicitor, Legal and Legislative Services/Clerk

## Link to Strategic Priorities

- Manage, invest and plan for sustainable municipal infrastructure which meets current and future needs of the municipality and its citizens.
- Create a safe, friendly and inclusive community which encourages healthy, active living for people of all ages and abilities.
- Provide a fiscal stewardship and value for tax dollars to ensure long-term financial health to the municipality.
- Manage responsible and viable growth while preserving and enhancing the unique rural and small town character of the community.
- Improve the experiences of individuals, as both citizens and customers, in their interactions with the Town of Essex.

## Report Approval Details

Document Title:	Vulnerable Children and Children at Play Signage Requests.docx
Attachments:	
Final Approval Date:	Jun 29, 2020

This report and all of its attachments were approved and signed as outlined below:

A handwritten signature in black ink, appearing to read "Chris Nepszy". The signature is written in a cursive style with a period at the end.

**Chris Nepszy, Chief Administrative Officer - Jun 29, 2020 - 11:35 AM**