

# **VILLAGE OF BENSENVILLE**



## **SPECIAL NEEDS CHILD & CHILDREN AT PLAY SIGNS POLICY**

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# **VILLAGE OF BENSENVILLE SPECIAL NEEDS CHILD & CHILDREN AT PLAY SIGNS POLICY**

## **I. PURPOSE**

To provide a Village-wide policy governing the installation and removal of special needs (blind, deaf, autistic or disabled) child signs and children at play signs.

## **II. BACKGROUND**

On occasion the Village has received requests from residents to install "CHILDREN AT PLAY" (CAP), handicap/disabled, deaf child, blind child and autistic child signs or ones with similar messages. Although the Village does not have a written policy regarding these signs, the Village has not allowed the installation of CAP or SLOW CAP signs.

## **III. RATIONALE**

Neither federal nor state standards, Manual of Uniform Traffic Control Devices (MUTCD), directly recognize the placement of these types of signs. The latest and most comprehensive research on this issue was a Wisconsin Transportation Synthesis Report (WisTSR) "Effectiveness of "Children at Play" Warning Signs". The report found:

There is no evidence that special warning signs of this sort reduce driver speeds or crash rates. This is the unanimous conclusion of the many credible sources we located on this topic. This claim is supplemented by a number of often-cited "common sense" observations that such signs do not give clear and enforceable guidance to drivers, provide a false sense of security to parents and children that may increase risk, expose the government to liability, give the false impression that areas without such signs do not have children, represent an unnecessary cost that then propagates as additional signs are requested and violate the principle that signage should be based on engineering, not political, decision making.

These arguments are used most frequently against Children at Play signs, and many of them—such as the arguments that CAP signs encourage playing in the street and that if in one location with children they should properly be in all locations—do not apply to Deaf Child, Blind Child, Handicapped Child or Autistic Child signs. These latter signs receive much less explicit discussion in the sources we located.<sup>1</sup>

The Illinois Department of Transportation (IDOT) also addressed this issue with the release of Circular Letter 2011-08. They didn't prohibit their use, but they didn't recommend their installation either.

Other word message warning signs dealing with children such as "Autistic Child," "Blind Child," "Deaf Child" or "Children at Play" are not recommended. These types of warning signs:

- Do not describe where the child might be;
- No longer attract the attention of motorists after initial installation;
- Have no legal meaning;
- Provide parents and children with a false sense of security;
- Are often left in place after the child is grown or moved away;
- Lack established procedures for engineering judgment or study; and

- Have proven ineffective.

The MUTCD provides the following support for the function of warning signs:

Warning signs call attention to unexpected conditions on or adjacent to a highway, street, or private roads open to public travel and to situations that might not be readily apparent to road users. Warning signs alert road users to conditions that might call for a reduction of speed or an action in the interest of safety and efficient traffic operations.<sup>2</sup>

The Village policy will be to continue to prohibit CAP, SLOW CAP or any other AT PLAY (AP) signs, but to allow requested special needs child warning signs that meet certain criteria and documentation. The basis for the prohibition is summarized as follows:

1. Children, whether special needs or not, should not play in or near the street. Signs of this type give the impression that it's safe for children to play in or near the street. Streets are not a safe place for children to play. There are plenty of parks and other open spaces where it is safe for children to play.
2. The signs have little to no effect on driving behavior. They do not reduce driver speeds, accident rates, legal liability nor do they protect children.
3. The same reasoning also applies to special needs signs: "BLIND CHILD", "DEAF CHILD", "AUTISTIC CHILD" and "DISABLED CHILD". However, there is an important difference between these signs and the CAP, SLOW CAP and other AT PLAY (AP) signs. Use of a horn or the sound of an approaching vehicle may not be sufficient to warn a deaf child. Similarly, just the visual aspect of a vehicle may not be enough to alert a blind child. Autistic and disabled children also may not be able to realize an approaching vehicle. Installation of a special needs signs can help warn motorists of these situations.

Public Works performed an internet search for policies on the subject and found municipalities or counties either prohibited the special needs warning signs outright or allowed their installation under certain conditions. In cases where certain signs were permitted; a resident was required to fill out an application with proof of a deaf or blind child and documentation that ensured the sign would only be posted as long as the special needs child lived in the home. The MUTCD offers guidance on the application of warning signs:

*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. In situations where the condition or activity is seasonal or temporary, the warning sign should be removed or covered when the condition or activity does not exist.*<sup>2</sup>

#### **IV. CRITERIA**

A sign request will only be granted for those children who are impaired to the extent that they are unable to hear, see or otherwise comprehend oncoming traffic. The Village reserves the right to deny any request found not to meet the criteria or with overly burdensome requests as determined by the Village. The application must be signed by a qualified ear, eye or other specialist certifying the child is impaired or disabled. The child must be over the age of two (2) at the time of the request.

## **V. INSTALLATION LIMITS**

The special needs sign shall be placed approximately 150 feet from the property line where the child lives but no less than 100 feet. This will provide enough advance warning for the motorist. A maximum of one (1) sign per approach will be installed for each situation. Sign locations will be determined by the Director of Public Works or designee.

Signs will only be installed on residential streets with a posted speed limit of 25 mph. Signs will not be allowed on arterials or major collectors as identified by the Director of Public Works or designee. All special needs signs will be installed within the Village right of way, not on private property. The request for special needs sign will not be approved if its placement blocks or interferes with other required signs.

## **VI. PROOF OF RESIDENCY**

Proof of residency by the applicant (copy of driver's license, property tax notice or utility billing) must be submitted at the time the sign request is made and on a yearly basis (January 1, of each year thereafter) to the Village Public Works Department, 717 E. Jefferson Street, Bensenville, IL 60106. If verification is not received, a personal contact will be attempted. If contact cannot be made, the sign will be removed.

## **VII. PROCEDURES**

Residents shall fill out an application requesting installation of a special needs child sign. See Special Needs Child Sign Application Request Form. The Director of Public Works or designee will review the application to determine if the criteria are met for installation. If approved, the Director of Public Works or designee shall determine the location of sign placements and notify the applicant of the requirement for them to provide Public Works with "Proof of Residency" documentation prior to January 1<sup>st</sup> of each year. Public Works shall be also notified of the sign locations and an electronic copy of the application shall be saved in the Public Works database. Public Works will then order the sign and install it as soon as practical.

Following initial approval and installation of the sign, if the applicant does not provide "Proof of Residency" prior to January 1<sup>st</sup>, a notice shall be sent to the previous applicant on file that the special needs sign will be removed promptly if proof is not received within 30-days.

Existing non-conforming signs identified in section II. BACKGROUND above shall be removed and replaced with the appropriate sign specified in section VIII. SPECIFICATION below. Prior to replacement, Public Works shall verify the criteria have been met for each address and the Special Needs Child Sign Application Request Form with supporting documentation has been provided. Public Works shall promptly remove all signs not meeting the specified criteria or without a properly completed Form or supporting documentation.

## **VIII. SPECIFICATION**

All warning signs shall be diamond-shaped (square with one diagonal vertical) with a black legend and border on a fluorescent yellow-green background. Warning signs shall be designed in accordance with the sizes, shapes, colors, and legends contained in the "Standard Highway Signs and Markings" book (see Section 1A.11). Only the following text for the black legend will be allowed for each appropriate sign:

DEAF  
CHILD

BLIND  
CHILD

AUTISTIC  
CHILD

DISABLED  
CHILD

# Special Needs Child Sign Application Request Form

I, \_\_\_\_\_, parent/legal guardian of \_\_\_\_\_, age \_\_\_\_\_, hereby request installation of Special Needs Child sign to serve \_\_\_\_\_ (address).

Type of Sign (Check one)

☐ Deaf Child

☐ Blind Child

☐ Autistic Child

☐ Disabled Child

In support of this request, I certify that the following statements are true:

1. The child is over the age of two (2) as of the date of this request (date of birth) \_\_\_\_\_.
2. I am the parent or legal guardian of the child.
3. The child resides with me at \_\_\_\_\_ (address). In support of this statement, I provided the following documentation: \_\_\_\_\_ (copy of driver's license, property tax notice, utility billing or other documentation).
4. I agree to provide "Proof of Residency" prior to January 1<sup>st</sup> of each subsequent year of this application. Should such proof not be provided, I understand that the sign will be removed by the Village and will not be re-installed.
5. I understand that the sign will be removed when the child no longer lives at the subject address.

Signed:

Print Name:

Date:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Address:

Email Address:

Telephone:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

I \_\_\_\_\_ certify that \_\_\_\_\_ is impaired to the extent that he/she is unable to see, hear or otherwise safely comprehend oncoming traffic.

Signed:

Specify Qualification (eye, ear or other specialist):

Date:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

## **For Office Use Only**

Recommend denial (reason): \_\_\_\_\_

\_\_\_\_\_

Recommend \_\_\_\_\_ (number and type) signs are installed at the following location(s): \_\_\_\_\_

\_\_\_\_\_

Signed:

Print Name:

Date:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**VILLAGE OF BENSENVILLE SPECIAL NEEDS CHILD  
&  
CHILDREN AT PLAY SIGNS POLICY STATEMENT**

The Village receives requests from residents to install “CHILDREN AT PLAY” (CAP), handicap/disabled, deaf child, blind child and autistic child signs or ones with similar messages. While residents may believe these signs provide protection for their special needs child, studies have shown CAP and similar signs to be ineffective, giving parents a false sense of security. They may also lead to disrespect for other regulatory and warning signs. There are no studies that show the special needs children (blind, deaf, autistic or disabled) signs are either effective or ineffective.

The purpose of the Village’s policy is to govern the installation and removal of special needs (blind, deaf, autistic or disabled) child signs and children at play signs. It’s our goal to assist residents in their request for special needs child signs that can warn drivers to situations that might not be readily apparent.

Village policy prohibits CAP, SLOW CAP or any other AT PLAY (AP) signs, but allows requested special needs child warning signs that meet certain criteria and documentation. These signs include: BLIND CHILD, DEAF CHILD, AUTISTIC CHILD and DISABLED CHILD. A sign request will only be granted if it meets the following criteria:

- The child is impaired to the extent that they are unable to hear, see or otherwise comprehend oncoming traffic.
- A fully and properly completed application that is also signed by a qualified ear, eye or other specialist certifying the child is impaired or disabled.
- The child is over the age of two (2) at the time of the request.
- The child resides within the corporate limits of Bensenville and lives on a residential street with a posted speed limit of 25mph.
- Applicant provides proof of residency (copy of driver’s license, property tax notice, utility billing or other documentation).
- Applicant agrees to provide proof of residency prior to January 1st of each subsequent year of the application and if such proof is not provided, the sign will be removed by the Village and will not be re-installed.
- Applicant agrees the sign will be removed upon the earliest of the fifteenth birthday or when the child no longer lives at the subject address.

The Village reserves the right to deny any request found not to meet the criteria or with overly burdensome requests as determined by the Village.



**VILLAGE OF BENSENVILLE SPECIAL NEEDS CHILD  
&  
CHILDREN AT PLAY SIGNS POLICY**

**FREQUENTLY ASKED QUESTIONS**

- How can I get a deaf, blind, autistic or disabled child sign on my street?

*An application can be obtained from the Village or online (print using Adobe Acrobat). Provide the child's proof of residency information and have the application signed by a qualified ear, eye or other specialist certifying the child is impaired or disabled. These signs will be posted only on 25 mph residential streets.*

- Can I get a "CHILDREN AT PLAY" sign on my street?

*The Village does not permit the use of these or similar signs on Village streets because they give the impression that it's safe for children to play in or near the street and they tend to give parents and children a false sense of security. All children should be supervised and encouraged to play well away from the street. Bensenville is fortunate to have numerous parks and recreational facilities throughout the Village where it is safe to play. Also, drivers need to watch for children at ALL times, not just in areas with these signs.*

- Won't "CHILDREN AT PLAY" signs help protect our kids?

*One might think that "CHILDREN AT PLAY", "SLOW CHILDREN" or other similar type signs would provide protection for children playing in a neighborhood, but they do not. It's the unanimous conclusion from many reliable studies in towns where these warning signs have been installed that there is no evidence that the signs reduced driver speeds, legal liability or pedestrian accidents.*

*Furthermore, these studies have shown that "CHILDREN AT PLAY" type signs are actually more dangerous than no sign at all. This is because they create a false sense of security and a false impression that areas without signs don't have children. If parents and children believe these signs are helping to protect them when in reality they aren't, children are now at greater risk. We are essentially doing a disservice to our residents if we install these types of signs and are an unnecessary cost that can lead to additional signs.*

*All children should be supervised when playing outdoors. They should not play in or near the street, but instead be encouraged to play in nearby parks and open areas safely away from traffic. These types of signs have long been rejected because they are a direct and open suggestion that playing in or near the street is acceptable behavior. In addition, their use could open the Village to tort liability.*

*Typically, the Village gets requests for these signs because a resident observed speeding in the neighborhood. Regrettably we usually find the residents in that area are the ones speeding. Use of these signs does not reduce vehicle speeds. Enforcement and education have shown to be effective tools. Therefore, any speeding should be reported to the Police Department.*

*For the above stated reasons, the Village cannot provide nor allow the use of "CHILDREN AT PLAY" type signs along public streets. Any existing Village signs with the words "AT PLAY" will be removed and replaced with a special needs sign if applicable.*