



Y220CIVL110K

Lines: The CWA Newsletter

Vol. 3, No. 2

July 27, 2007

Welcome

Dear Colleagues,

I understand we just put out a newsletter a couple of weeks ago, but we had some news and information to send out that was time critical. So here we go...

Best Regards,

Bill Zimmermann,
Executive Director

CWA Member Rendevous at Summer OR

The Outdoor Retailer - Summer Market 2007 is just around the corner. The trade show will be held at Salt Palace, August 9-12th, Salt Lake City. Many of you manufacturers and retailers know all about the OR show and have been regulars for many years. The OR show is a must attend event if you manufacture climbing gear or if you run a retail operation. The OR show is the place to be if you want to see new equipment, speak to manufacturers, and place orders for your retail stores.

The CWA has had a presence at the Outdoor Retailer at every show for the past few years. The staff and members of the board meet with our manufacturing members, host meetings, and attend to keep the CWA message alive and well. We will be in Salt Lake City once again this August and would like to extend an invitation for our current members, and the curious, to join us for an informal evening of conversation.

We will be holding court at The Fiddler's Elbow in Salt Lake City Thursday, August 9th, from 8 p.m. to 10 p.m. If you will be in Salt Lake for the show, please drop in for a visit with us. For directions to the Fiddler's Elbow, please go to their web site here: www.fiddlerselbowslc.com. For information about the OR show you can go to their web site here: www.outdoorretailer.com.

We hope to see you in Salt Lake City.

Used Harness Testing

Rock & Ice, Arc' teryx, and Mountain Gear are organizing a large-scale, used harness testing initiative. Please consider submitting a harness that you are getting ready to retire so that they can gather some useful data on the strength of used harnesses.

Everyone who sends in a used harness will get a \$25 gift certificate for an Arc' teryx product to use at mountaingear.com. The data will be showcased in a future 2008 issue of Rock & Ice at the completion of the testing. CWA members that participate will be eligible to receive a complimentary copy of the article.

If you would like to learn more about the project please check out this link:
www.rockandice.com/harnesses.php.

Draft Industry Practices Review Underway

The draft third edition of the CWA Industry Practices have been released and the public review and comment period is underway. We have recieved a number of thoughtful comments from manufacturers, distributors, wall operators, and our members already. The latest edition of the Industry Practices was completely revised by a dedicated group of CWA volunteers -- the Operations Standards Committee, chaired by Dan Hague of Climbing Wall Management. The committee deserves recognition and thanks for their cooperative approach, good will, and hard work -- thank you all!

We have provided a draft document for your review on our web site. The comment period will last thirty days. If you would like to preview or comment on the draft document, please go to this page: www.climbingwallindustry.org/industrypracticescommentlink.php. After reading the instructions, filling out the form, and clicking "submit" you will be taken to the download page. If you would like to submit comments, please review the instructions and submit your comments using this page: <http://www.climbingwallindustry.org/standardcomment.php>. After the review and comment period is

concluded, the CWA will issue an official version of the Industry Practices free of charge to all current members.

Big Brother -- Regulatory Updates for MA and NJ

The Massachusetts Legislature's Joint Committee on Homeland Security and Public Safety is preparing to forward the bill regarding licensure to the full legislature. We have been monitoring the progress of this bill in the hope that the bill is passed prior to the enforcement of the amusement licensing law. We would prefer that none of the Massachusetts climbing facilities are licensed under the amusement law. The new bill would have to be passed within the next five weeks to avoid amusement licensure.

As many of you know, in January of 2004, the NJ Department of Community Affairs' (NJDCA) unlawfully asserted jurisdiction over rock climbing gyms operating in the state of New Jersey. In December of 2006, after two years of litigation, the NJRG was successful in defeating the NJDCA when the NJ Superior Court ruled that the NJRG did not operate a "carnival ride" as contended by the NJDCA.

The effect of that litigation was realized statewide on July 2, 2007, when the NJDCA published draft regulations specific to rock climbing walls located or operated within amusement parks. The draft regulations specifically cited conformity with the NJRG case and excluded all stand alone rock climbing walls and gyms in the state. The outcome of this case may set a precedent that will be mirrored in other states across the country.

However, there are still potentially troublesome issues with the proposed regulatory language. The DCA appears to have drafted the rules in such a way as to enable them to expand the scope of regulatory enforcement in the future. The rules have been organized and drafted in a way that by making some minor changes to the definition of a climbing facility, and a liberal reading of the rules, the DCA could attempt to assert authority over recreational climbing once again in the future. [N.B. This is essentially the same tactic used by the Massachusetts regulators].

The New Jersey Rock Gym is willing to host an open forum within the next couple of weeks for all New Jersey gym owners in order discuss these draft regulations, the potential impact on the industry as well as possible comments to be submitted to the Department of Community Affairs. If you are interested in attending the open forum or wish to discuss the draft regulations, the New Jersey Rock Gym decision, and its impact on your facility, please feel free to contact Bill Zimmermann at the CWA or me. We look forward to hearing from you.

John J. Lavin, Esq.
www.tesseractcohen.com
(201) 343-1100

Member Spotlight -- Rock Ventures

Twelve years ago, having taken early retirement as a tenured, senior faculty member at a local college, I became a climbing gym entrepreneur. What an adventure!

A number of experienced and elite climbers use our facility and we constantly create new climbers. To grow and be successful we have had to adapt. Our corporate health and growth has us marketing and supporting new areas of business. To stay healthy during the slow summers we provide Corporate Team Building and Team Creation Seminars.

We also have a highly successful Leader In Training Program for inner city and suburban youth. This program provides sound world-of-work skills, public speaking skills, and personal growth for the participants.

Over the next decade the plan is to increase Team Creation Seminars. This work pleases our customers, is fulfilling to us, and generates the highest profit margin.

Kent Winchester
RockVentures Indoor Climbing
1044 University Avenue
Rochester, NY 14607
www.rockventures.net

About the Climbing Wall Association, Inc. (CWA). The CWA is a 501(c)(06), non-profit, trade association incorporated in May of 2003 for manufacturers of climbing wall equipment, builders of climbing walls, operators of climbing walls, and others involved in the climbing industry.

The CWA is the only trade association addressing the needs and interests of the climbing wall industry and climbing wall operators. The mission of the Climbing Wall Association is to support the growth, health and independence of the climbing wall industry, and to promote the sport of climbing.