

Parking Lot Safety – Adjacent Parking Lots

Keeping your parking lots in good condition can not only present a good impression for your customers – one where your restaurant has high standards of maintenance and cleanliness, but also can help prevent slips trips and falls, struck by vehicles, and protect vehicles themselves by reducing claims for damage due to pot holes. The question arises is it only your own parking lot that you are responsible for?

Obviously you cannot be responsible for property that you do not own. In many cases, your property will be a part of a strip center, mall, or near a bank, gas station, or even an abandoned property where you will have no control over the condition of the property. The problem occurs when your traffic patterns direct customer's vehicles into these unmaintained areas. The



attached photo is an example of a claim filed by a customer. The customer's car was damaged by a very large pothole on the adjacent property. Notice in the picture that the arrow directed customers to exit onto this poorly maintained parking lot. Although the store owner may not ultimately be held fully liable for damage to the customer's vehicle, there may be 'contributory negligence' where part of the dollars are assigned to the store owner, and part to the other property owner. If the property is abandoned, then the full value of the claim may come back to the store owner.

To help prevent this type of claim from occurring, inspect all adjacent properties. Ensure that the parking lots are in good condition, and held to a similar standard as to your property. Contact the property owner where necessary. Also inspect vegetation and ensure that there are clearly defined traffic patterns with no areas hidden by poorly maintained plants.

If the parking lot is in poor condition, then the traffic patterns on your property should be modified to direct people away from this area. Check with your local code enforcement agencies to see if traffic *must* flow through that property. If not, then it should be blocked with approved barricades, and redirected away. Approved barricades will be necessary, as well as approved placement, to ensure that a new hazard is not created by the barricades themselves.

In addition to protecting your customers and their vehicles, ensuring that the area looks good and is in good condition also creates an impression that your store is well cared for, modern, and clean. Nothing can scare customers away faster than the impression that your store is not maintained, nor clean.