

THE MUNICIPALITY OF TEMAGAMI

BY-LAW NO. 24-1773

Being a Bylaw to Require Helmet Use for Children Under the Age of 16 on the Municipality of Temagami Arena Ice Rink

WHEREAS the Municipality of Temagami is committed to ensuring the safety and well-being of all community members, particularly our young residents and visitors engaging in recreational activities;

AND WHEREAS the Council recognizes the importance of implementing measures to reduce the risk of head injuries among children participating in ice skating, hockey, or any other activities on the ice rink;

AND WHEREAS the Municipality seeks to promote a culture of safety and responsibility within the community;

NOW THEREFORE BE IT RESOLVED THAT the Council of the Municipality of Temagami hereby enacts the following bylaw:

1. Helmet Requirement

- 1.1. All children under the age of 16 shall wear a helmet while participating in any ice skating, hockey, or any other activities on the Arena Ice Rink.
- 1.2. The helmet must be properly fitted and securely fastened while on the Arena Ice Rink.
- 1.3. Waiver Requirement: Prior to any child under the age of 16 participating in ice skating, hockey, or any other activities on the ice rink, their parent or legal guardian must sign a waiver acknowledging the helmet requirement and releasing the Municipality from liability, as detailed in "Schedule A". This waiver is a mandatory condition for the child's use of the Arena Ice Rink.

2. Signage

- 2.1. Clear and visible signage shall be posted at the Arena Ice Rink to inform all visitors of the helmet requirement.
- 2.2. Parents or guardians are responsible for ensuring that their children comply with the helmet requirement. Children who do not wear a helmet or whose parent or guardian has not signed the required waiver will not be permitted to use the Arena Ice Rink for ice skating, hockey, or any other activities.

3. Liability

3.1. The Municipality shall not be liable for any injuries sustained by children who fail to comply with the helmet requirement or whose parents or guardians fail to sign the required waiver, as outlined in “Schedule A”.

4. Schedule

4.1. **Schedule A:** The waiver form to be signed by the parent or legal guardian is attached as part of this bylaw.

4.2. **Legal Review:** The waiver form included in Schedule A shall be subject to legal review to ensure compliance with applicable laws and the enforceability of its provisions.

AND THAT this bylaw shall come into force and take effect upon its passage by the Council of the Municipality of Temagami.

AND THAT the Clerk of the Municipality of Temagami is hereby authorized to make minor modifications or corrections of a grammatical or typographical nature to the bylaw or Schedule A, where such modifications or corrections do not alter the intent of the bylaw, subject to legal review of the waiver form to ensure compliance with applicable laws.

READ a first, second, and third time and finally passed this 10th of October, 2024.

Mayor

Clerk

SCHEDULE A - BY-LAW NO. 24-1773

Waiver And Release of Liability to Be Signed by Parent or Legal Guardian

Event: Ice Skating, Hockey, and Other Activities at the Arena Ice Rink

Participant's Name: _____

Age: _____

Date: _____

Acknowledgment of Helmet Requirement

I, the undersigned, hereby acknowledge that I am the parent or legal guardian of the above-named participant. I understand that the Municipality of Temagami has enacted a bylaw requiring all children under the age of 16 to wear a helmet while participating in ice skating, hockey, or other activities at the Arena Ice Rink.

Assumption of Risk

I recognize that participation in ice skating, hockey, or other activities involves inherent risks, including but not limited to the risk of head injuries and other physical injuries. I understand that wearing a properly fitted and securely fastened helmet is essential for the safety of my child while engaging in these activities.

Liability Waiver

In consideration for my child's participation in ice skating, hockey, or other activities at the Arena Ice Rink, I, on behalf of myself and my child, hereby release, waive, and discharge the Municipality of Temagami, its officers, employees, and agents from any and all claims, demands, actions, and causes of action of any kind or nature arising out of or related to any injury, loss, or damage that may occur to my child, including those resulting from the failure to wear a helmet.

Indemnification

I further agree to indemnify and hold harmless the Municipality of Temagami, its officers, employees, and agents from any claims, demands, or actions that may be brought by any third party arising out of my child's participation in these activities, including but not limited to claims related to personal injury, property damage, or wrongful death.

Responsibility of Parent/Guardian

I understand that it is my responsibility to ensure that my child complies with the helmet requirement while on the Arena Ice Rink. I acknowledge that if my child is found not wearing a helmet, he/she will not be permitted access to the rink.

Acknowledgment and Agreement

I have read this waiver and release of liability, and I fully understand its contents. I am aware that by signing this document, I am giving up certain legal rights, including the right to sue. I voluntarily agree to the terms and conditions set forth herein.

Parent/Guardian Name: _____

Parent/Guardian Signature: _____

Date: _____

Emergency Contact Number: _____

Witness Information

Witness Name: _____

Witness Signature: _____

Date: _____