

HALTON HILLS PUBLIC LIBRARY

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Town of Halton Hills & Halton Hills Public Library Personal Flotation Device (PFD) Waiver

Equipment User's Name(s): _____
Address: _____
City: _____ Province: _____ Postal Code: _____
Phone: _____ Email: _____
Library Card #: _____

Usage Agreement: If a PFD is returned after its due date, or becomes damaged, users will be subject to the Library's Fines and Charges policy.

RELEASE OF LIABILITY AGREEMENT, WAIVER OF CLAIMS, ASSUMPTION OF RISKS AND INDEMNITY AGREEMENT.

BY SIGNING THIS DOCUMENT YOU WILL WAIVE CERTAIN LEGAL RIGHTS, INCLUDING THE RIGHT TO SUE. PLEASE READ CAREFULLY!

Initial

RELEASE OF LIABILITY, WAIVER OF CLAIMS, INDEMNITY AGREEMENT

In consideration of the Town of Halton Hills and the Halton Hills Public Library providing me with a PFD, I hereby agree as follows:

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In consideration of the Release, by accepting my application to borrow PFD's.

a) **TO WAIVE ANY AND ALL CLAIMS** that I have or may in the future have against **THE RELEASEES, and TO RELEASE THE RELEASEES from any and all liability for any loss, damage, injury including death, or expense that I may suffer, or that my next of kin may suffer, directly or indirectly, as a result of my use of PFD's.** Due to any cause whatsoever, including negligence, breach of contract or breach of any statutory or other duty of care, including any duty of care owed under the Occupiers Liability Act, RSO 1990, c.0.2, on the part of the releasees, and including the failure on the part of the releasees to safeguard or protect me from the risks, dangers and hazards associated with use of a PFD.

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b) **I agree to indemnify and hold harmless the releasees and each of them,** from any obligation or legal fees, liability, damage, award or costs of any form or type whatsoever, they may incur due to any claim made by my minor against them or any one of them where the claim is based on the negligence or the gross negligence of the Releasees or otherwise.

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You are required by law to have a lifejacket or PFD (Personal Flotation Device) on board for each person on a watercraft. It is strongly recommended that everyone should wear a fully fastened PFD at all times while on the watercraft. This includes human-powered crafts.

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Drowning or other serious injury can still occur while someone is wearing a PFD.

Children who are wearing a PFD should remain within arm's reach of a responsible adult at all times while in or around the water.

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PFD Usage Guidelines:

- Always use a PFD that has been approved by Transport Canada, the Canadian Coast Guard or Fisheries and Oceans Canada.
- It should fit snugly and not ride up over the chin or ears.
- There should be less than 7.6 cm (3") between the wearer's shoulders and the device. Otherwise, the device is too big and could do more harm than good.
- Wear the PFD properly and ensure it is properly buckled and secured.
- Devices that are ripped or in poor condition are not considered approved and should not be worn.
- Lifesaving equipment should never be tied on, tacked on, or used as a fender for your boat.
- Check the PFD's buoyancy regularly by wading in waist-deep water and bending your knees to see how well you float.
- Ensure that straps, buckles, and ropes are clean and in good working order.
- Tug on straps to ensure they are well attached with no sign of wear.
- Dry your device in open air and avoid direct heat sources.
- Store it in a dry, well-ventilated, easily accessible place.
- Do not dry clean. Rinse with clean and running water to clean.

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For more information on selecting and using a PFD or lifejacket, and to ensure you are using the correct equipment for your activity, see Transportation Canada's website <https://tc.canada.ca/en/marine-transportation/getting-started-safe-boating/choosing-lifejackets-permitted-use-devices-pfds>

I have read and understand this Agreement prior to signing it, and I am aware that by signing this agreement I am waiving certain legal rights which I or my heirs, next of kin, executors, administrators, and assigns may have against the Releasees.

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PFD Identification Number(s): _____

PFD Size(s): _____

Date (M/D/Y): _____

Time: _____

Signature of Renter: _____

Signature of Town Staff: _____

Personal information on this form is collected under the authority of the Municipal Act.