

THE CORPORATION OF THE CITY OF SARNIA
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PARKS AND RECREATION DEPARTMENT

NON-AGENDA REPORT

TO: Mayor Bradley and Members of Sarnia City Council

FROM: Beth Gignac, Director, Parks and Recreation

DATE: February 9, 2015

SUBJECT: Tobogganing on Municipal Property

Tobogganing on Municipal Property has become an issue for cities across Canada this winter. On January 22, OMEX, The Ontario Municipal Insurance Exchange, hosted a webinar to create a cohesive approach to this particular risk. In order to support a great Canadian past time and ensure that communities continue to have places where kids can play outside, three options were discussed:

1. Do nothing
2. Ban tobogganing on all municipal property
3. Manage the risk with signage and identified toboggan hills

Staff investigations have determined that there are 6 main areas where the citizens of Sarnia have traditionally enjoyed tobogganing activities: Centennial Park, Len Park, Wiltshire Park, Tecumseh Park, Hollands Park and at the hill behind the Research Park, on the previous Dow property (Modeland Road, east of the intersection of Modeland Road and Wellington Street). These areas have developed a public tradition of tobogganing use but they are not engineered or designed for this specific use. Therefore, there are no policies or procedures for maintenance and operations or staffing.

There has been one Incident Report filed with the City in 2004 regarding an injury that had occurred at the hill behind the Research Park, on the previous Dow property. At the time, it was the opinion of the Insurance Adjustor that a Judge may find there was some duty owed by The City of Sarnia and that the City breached duty by not inspecting or maintaining the area or erecting signage preventing tobogganing in the area, since it had become a known depository for construction waste materials. The City

responded by erecting signage at that location stating that tobogganing activity was not permitted at that site. Recently, it has been observed that the signage has been torn down and will need to be replaced. As a first step during this winter, a sign will be erected in the Heritage Park subdivision on an existing signpost at the entrance to the trail leading to the hill.

Should cities choose to not ban tobogganing nor design, operate and maintain tobogganing sites, OMEX recommends choosing a "middle ground" approach. Signage should be placed at the ingress and egress areas of each known tobogganing location with the following suggested language:

- Not Maintained – Not Inspected
- Use at your own risk
- Safety gear for activities such as tobogganing, skiing and sledding is recommended

Further, any and all signage should be inspected regularly and this verbiage should exist on any websites, municipal marketing material and social media pertaining to parks and parkland.

Staff will proceed with the "middle ground" approach and will install signage this month at the hill behind the Research Park, on the previous Dow property. Other signage will be in place for the 2015/2016 winter season since current ground conditions are not suitable for signage installation at other locations. Also, staff will immediately undertake a communication plan to inform the citizens of Sarnia by using the suggested language on The City of Sarnia website, municipal marketing materials, and social media sites.

A handwritten signature in black ink, appearing to read 'Beth Gignac', with a stylized, cursive script.

Beth Gignac
Director, Parks and Recreation