

**CITY OF HAMILTON
NOTICE OF M O T I O N**

Council Date: January 21, 2015

MOVED BY COUNCILLOR T. WHITEHEAD.....

8.1 Tobogganing

WHEREAS, tobogganing is considered a Canadian recreational activity;

WHEREAS, legal precedence has been established by the courts on tobogganing litigation;

WHEREAS, the City of Hamilton banned tobogganing on city property by by-law, and still remained liable, resulting in a large damage award;

WHEREAS, municipalities within the Province of Ontario who have banned; restricted and closed hills to tobogganing through by-law and posted notices, it remains unclear if the restrictions and hill closures mitigate a municipality from legal proceedings;

NOW THEREFORE BE IT RESOLVED:

That the Manager of Risk Management coordinate, together with the City Solicitor, staff of the Public Works Department or other affected departments, a review of the options available to the City in respect of tobogganing on City property, including the feasibility of the City of Hamilton designating tobogganing areas within the community, and report back to the General Issues Committee.