



REPORT

TO: Mayor and Council

FROM: Jason Kabel, Manager of Community Services

DATE: May 30, 2013

RE: Jeff Tilbury re: Aquathlon Event at Pither's Point Park September 8, 2013 (Request received May 14, 2013)

At the regular Council meeting May 27, 2013, Council referred the request from Jeff Tilbury re: Aquathlon at Pither's Point Park September 8, 2013 to the Community Services Executive Committee for recommendation with input from Operations and Facilities and Planning and Development Executive Committees.

The Operations & Facilities Executive Committee reviewed the information outlined by the event with regards to the roads and sidewalks infrastructure (see attached report). The O & F Executive Committee had two concerns:

1. **There is no sidewalk on Lake Road between the intersection of Highway 11 and the intersection of Idylwyld Drive and a section of Highway 11 from the overpass structure to intersection of Lake Road.**
2. **Provide temporary no parking signs & poles.**

The suggestion by the O & F executive committee to have marshals to address concern #1 and barricades to address concern #2 (provided by public works staff) will be conditions passed on to the Aquathlon event committee as organizational requirements by the Town of Fort Frances.

The Planning & Development Executive Committee reviewed the documentation provided by the event and only had one concern raised:

1. **That the Town fully explore any issues of liability regarding our assistance with the event.**

The Community Services Division has investigated the issue of the Town's exposure to liability for the Aquathlon event with Insurance Broker, Gillons Insurance (Carrie Shouldice) and Insurer, BFL Canada Risk & Insurance Services Inc. (Robin McCleave, CRM) (email transcript attached). The following items were highlighted as concerns to be aware of and measures to take to mitigate liability for the Town of Fort Frances:

1. **Town of Fort Frances qualified employees act in their capacity as lifeguards on the event day to be included under the Town's insurance policy (and not rely on any coverage purchased by event organizing committee).**

2. **The Town of Fort Frances must be named on the event waiver and signed copies of every participant's waiver must be supplied to the Town as soon as possible by event organizers after the event registration is complete.**
3. **Prior and after the event, all areas should be carefully inspected by Town staff to ensure there are no obvious hazards (i.e. tripping hazards, sharp objects – especially protruding in beach area where the swimmers will be entering or leaving from, potholes, etc.). A record of the inspection should be kept for as long as possible. If there are any hazards that cannot be fixed by staff prior to the event they should be well marked. The inspection reports should include any temporary measures put into place and when the situation was rectified.**
4. **The Aquathlon committee provide proof of 3rd party liability insurance to the Community Services Division at least 2 weeks prior to the event.**

The proposed Aquathlon event is an athletic endeavour that includes two components to the event, a swimming portion and a running portion. The swimming portion is planned to be 700 to 750 meters starting and finishing from the shore near the government dock at Pither's Point Park (near La Place Rendezvous). After the swim participants will have a transition zone to change into running shoes for the final leg of the event, a 5km run. The run will be along the waterfront to the Marina and back with non-permanent course markings along the way (please see other details attached).

The Community Services Executive Committee recommends to Council to permit the proposed Aquathlon event to ensue on September 8, 2013 at Pither's Point Park as outlined by organizer Jeff Tilbury. The Committee further recommends that J. Kabel serve as a liaison to the event to assist with lifeguard requirements.

Respectfully Submitted,



Jason Kabel,
Manager of Community Services

Council approval of this report will permit the proposed Aquathlon event to ensue on September 8, 2013 at Pither's Point Park as outlined by organizer Jeff Tilbury with the following stipulations:

- 1. Marshals be in place to direct traffic and for participant safety at specified locations (Idylwyld Dr., Overpass, run Turn-around).**
- 2. Barricades be used to identify event space and no parking areas.**
- 3. Town of Fort Frances certified employees act in their capacity as lifeguards on the event day to be included under the Town's insurance policy (and not rely on any coverage purchased by event organizing committee).**
- 4. The Town of Fort Frances must be named on the event waiver and signed copies of every participant's waiver must be supplied to the Town as soon as possible by event organizers after the event registration is complete.**

5. Prior and after the event, all areas should be carefully inspected by Town staff to ensure there are no obvious hazards (i.e. tripping hazards, sharp objects – especially protruding in beach area where the swimmers will be entering or leaving from, potholes, etc.). A record of the inspection should be kept for as long as possible. If there are any hazards that cannot be fixed by staff prior to the event they should be well marked. The inspection reports should include any temporary measures put into place and when the situation was rectified.

6. The Aquathlon committee provide proof of 3rd party liability insurance to the Community Services Division at least 2 weeks prior to the event.

The Committee further recommends that J. Kabel serve as a liaison to the event to assist with lifeguard requirements.