

## Alert - January 18, 2016

### Use of Wheeled Footwear and Other Similar Devices in Public Settings

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The ORFA first notified members to consider the risks of allowing the use of roller shoe (Heelys) in recreation facilities through a Facility Alert in 2005. In 2016, the introduction of wheels on skate-guards are challenging today's recreation facility operations in a similar manner.

Over the years, many ORFA members have realized the risks associated with skate boards and made efforts to reduce the potential for liability and personal injury by creating dedicated skate-park facilities. The trend for using such devices on public stairs, railings and other grounds infrastructure was addressed by many municipalities in a new form of recreation infrastructure. In doing so, wear and tear on floor surfaces and other infrastructure assets was reduced. The development of

professionally designed skate board parks and programs to assist inexperienced skaters to develop their skills in an appropriate controlled environment helped ensure safety for both users and non-users.

Today, the introduction of wheeled skate-guards is just as risky as all other wheeled devices that have come before. Any device that increases the speed of a person in a public space, increases the potential of injury to both the users and the unaware general public. Controlling the use of these device and the use of personal protective equipment for the user will fall to the owner, and will be mandated under the Occupier Liability Act.

Any policy that can limit exposure to liability should be carefully considered. The ORFA supports the restricted use of any wheeled footwear, or device indoors unless used as part of a structured program that is supported by trained competent persons. Further, the use of any wheeled footwear, or device on public property outdoors needs further risk evaluation to determine if controls are required in ensuring user and/or public safety.

Sample Policy Statement: Any town, Ontario prohibits the use of any wheeled footwear or device in any public facility or property other than designated areas. Unless the area is posted as being acceptable for using such devices or are part of a structured, supervised program the public is advised that the use of such items is considered strictly prohibited.

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