



Individual or Single-Cabin Group Users Agreement & Waiver Elbow Lake Environmental Education Centre

Thank you for your interest in the Elbow Lake Environmental Education Centre. **All users are required to abide by the rules set out for this facility.** Please carefully read the statements listed below:

- Use only the Pavilion, your designated cabin(s), the Nature Centre, beach and designated hiking trails. All other buildings (unless reserved), trails and campsites are off-limits. Users are expected to leave cabins at least as clean as they found them. Users must wipe down surfaces and vacuum the floors before departure. There are checking in and checking out requirements for users posted inside the door of each cabin – please follow this! Our garbage policy is “pack-in/pack-out”: you are required to take home all your garbage. Recyclables should be separated from waste, cleaned and sorted to the appropriate bin(s). Compostable materials should also be separated from garbage and placed in the appropriate container (vegetable matter only vs. meat and fish). No barbecues or fires at the cabins. Campfires are only permitted within the central fire pit between the Nature Centre and Day Lodge when weather conditions permit. Outdoor fires not permitted under windy or dry conditions or when a burning ban is in place.
- To protect against invasive species, outside firewood cannot be brought onto the property. While small deadfall (fallen twigs, branches) near the designated fire area may be collected for kindling, larger deadfall is not to be taken.
- No glass is allowed on the beach.
- Dogs must be leashed at all times while anywhere on the property and owners must clean up after them. Only cabins #5 and #6 are designed for dogs for overnight users. Please do not take dogs into the Pavilion, Day Lodge, Rec Hall, Nature Centre, or swimming area.
- Users swim in Elbow Lake or Spectacle Lake at their own risk. Use of the designated hiking trails is also at the users' own risk – refer to the ELEEC website for current trail guides and download the free Elbow lake Trail Guide App.
- To protect against invasive aquatic species, no canoes or other watercraft may be brought in from outside. Please ensure that all personal PFDs and other water equipment are sanitized before bringing them into Elbow or Spectacle lakes.
- Only catch and release fishing is permitted, within season. Barbless hooks must be used, and live bait is not permitted.
- The main phone in the Pavilion is for emergency use only; please leave the line free for this purpose. Do not make long-distance calls.
- Vehicles must not block any roads, access points or fire routes.
- Do not undertake any activity that will cause damage to habitat (including topographic features) or harassment / injury to any living organism.

Note that you may not be the only residents at the facility and thus we request that you keep noise to a minimum and keep common areas clean and uncluttered.

- Kitchen and washroom facilities are shared and must be left clean.
- All children under 16 years of age must be accompanied by an adult.
- All patrons are expected to behave in a sensible and decorous manner at all times.

Queen's University is a smoke-free environment and alcohol is not permitted in common buildings during public events and shared use facility rentals. At ELEEC, cabins are deemed private places under the Liquor License Act, and alcohol is permitted. Private facility bookings are permitted to consume alcohol responsibly in buildings they have exclusive access to.

The principal user is required to acknowledge and initial the statements below:

____ I have read and understood the *User's Guide for Elbow Lake*.

____ I will ensure that all members of my party understand and abide by the facility rules.

You will be invoiced after your departure. Please pay the bill promptly.

ASSUMPTION OF RISKS WAIVER for stay at the Elbow Lake Environmental Education Centre

In consideration of being provided the opportunity to stay at, and use in the manner defined above, the facilities at the Elbow Lake Environmental Education Centre (ELEEC), I hereby agree as follows:

I, _____, acknowledge that I have been advised by Queen's University at Kingston, the Queen's University Biological Station and the Elbow Lake Environmental Education Centre of the possible risks and hazards associated with using the property and the facilities, some of which may lead to possible injury or cause loss of life. I further understand that this tract of land is rugged, has deep lakes and contains wild animals, some of which may be considered dangerous in some circumstances. Despite the potential risks and hazards associated with my activities on the property, I wish to proceed, and freely accept and assume all risks and hazards that may arise from my activities on the property, WHETHER CAUSED BY MY NEGLIGENCE or otherwise. I acknowledge that my activities on the property are purely optional, as I requested this short-term license for use. **The HAZARDS, DANGERS, and RISK of INJURY of this EVENT can also include, but are not limited to those items set out in APPENDIX A to this Form.**

DISCLAIMER: The Board of Trustees of Queen's University, its officers, directors, agents, contractors, employees, volunteers, members and representatives, **which includes but is not limited to all those at QUBS** (all hereafter collectively referred to as "the **Releasees**") are not responsible for any injury, death, loss or damage of any kind sustained by any person while using the property and facilities, including injury, loss or damage which might be caused by the Negligence of the Releasees.

I understand that it is my responsibility to abide by all applicable Queen's University at Kingston (hereafter the University), Queen's University Biological Station (hereafter QUBS) and Elbow Lake Environmental Education Centre rules, and to ensure that I have adequate medical, personal health, dental and accident insurance coverage, as well as protection of my personal possessions. In particular, I understand that the University, QUBS and ELEEC do not carry accident or injury insurance for my benefit and also that there may be certain matters for which I could be held at fault personally if my activities or conduct fall short of what would be considered a reasonable standard for an individual in my position. In all cases I agree to be accountable in all respects for my own actions and not to ask the University, QUBS, ELEEC or their employees or officers to accept the consequences thereof; further, I agree to be responsible for any claims made against the University, QUBS or ELEEC in relation to such actions, and if damage is caused by my use of the facilities, I agree to cover all costs for repairs.

My signature below is given freely to indicate my understanding of the acceptance of these realities and in consideration for being permitted by the University and QUBS to use the facilities and land of the ELEEC. By signing this document, you will waive certain legal rights, including the right to sue. Please read carefully.

IF USER IS UNDER 18 YEARS OF AGE: The parent or legal guardian of **have** read and understand the risks associated with using the facilities and property and **hereby consent to my child's voluntary assumption all risks, dangers and hazards resulting therefrom. I understand that I am solely responsible for health, medical, dental, and property insurance covering my child.**

LIABILITY WAIVER: I release and hold harmless the University and QUBS, its employees, students and agents from any and all liability for any loss, damage, injury or expense that I, my dependents, or my next of kin may suffer as a result of my use of the ELEEC, including, but not limited to, accidents, acts of God, sickness, transportation, scheduling and government restrictions or regulations. This waiver is effective for the period of time that I will be at Elbow Lake and including the time of transit to and from the facility. I understand that this agreement cannot be modified or interpreted except in writing by the University and QUBS, and that no oral modification or interpretation will be considered valid.

I HAVE READ AND UNDERSTOOD THIS DOCUMENT IN ITS ENTIRETY AND I AM AWARE THAT BY VOLUNTARILY SIGNING BELOW I AM WAIVING CERTAIN LEGAL RIGHTS WHICH I OR MY HIERS, NEXT OF KIN, EXECUTORS, ADMINISTRATORS AND ASSIGNS MAY HAVE AGAINST THE RELEASEES.

Principal Facility Booking Lead Name (print): _____

Permanent Address: _____

Phone number(s) where I may be reached: _____ (H) / _____ (W) / _____ (C)

Affiliation (if appropriate): _____

(Signature of Facility Booking Lead)

(Witness as to Signature of User)

Date: _____

Date: _____

Other Users (if applicable; for family groups with small children please simply provide names)

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Name: _____ Signature: _____ Date: _____

Privacy: Personal information in connection with this form is collected under the authority of *The Queen's University Act, 1965* and will be used for the purpose of administering your use of the facilities and property. If you have any **questions about the collection, use and disclosure** of your personal information by Queen's University, please contact: Queen's University, Records Management and Privacy Office, Suite F300 Mackintosh-Corry Hall, 68 University Avenue, Kingston, Ontario, K7L 3N6, 613-533-6095

APPENDIX A

HAZARDS, DANGERS, and RISK of INJURY inherent during use of Facilities and Property

Hazard	Risk
Extreme heat	<ul style="list-style-type: none"> • In the summer months, consequences to visitors can include heat stroke, exhaustion, head-aches, sunburns; episodes of light headedness, fainting, chest discomfort, leg cramps, nausea and fatigue. Signs of excessive heat must be reported and never ignored. Every USER should bring sun protection such as sunscreen, a hat, <i>etc.</i>
Dehydration	<ul style="list-style-type: none"> • Visitors will be outside and active much of the day. There is a risk of dehydration, resulting in headaches, episodes of light headedness, fainting, chest discomfort, leg cramps, nausea and fatigue if inadequate amounts of water are consumed. Every USER should bring adequate water
Hypothermia	<ul style="list-style-type: none"> • Visitors may experience cool, wet days • Without proper clothing, there is a risk of hypothermia • A boat could be capsized and visitors or staff could spend some time in the water, resulting in cold wet clothes. Every USER should bring a dry changes of clothes
Extreme cold	<ul style="list-style-type: none"> • In the winter months, consequences to visitors can include frostnip, frostbite, and if symptoms are ignored, excessive loss of body heat can lead to hypothermia. Every USER should wear proper winter clothing
Rough & slippery terrain	<ul style="list-style-type: none"> • The terrain at Elbow Lake is rugged, often with loose debris or exposed wet rock. The terrain can be steep, uneven or slippery, with branches, rocks, or other obstacles present risks of slipping and falling that may result in bone and muscular skeletal injury, such as breaks, sprains and strains, or broken limbs, concussion or spinal cord injuries • This risk is increased in the winter months with the addition of snow and ice.
Insect bites & stings	<ul style="list-style-type: none"> • Visitors are at risk of being stung/bit by insects, including bees, mosquitoes, flies, and ticks. • While this is primarily just an inconvenience it could pose a serious problem for people with allergies, if the tick is infected with Lyme disease, or if the mosquito is a West Nile Virus carrier. Every USER must advise Facility booking lead of any allergies to insect bites and stings and carry, or provide staff with, their EpiPen • The threat of ticks can exist throughout the year in any season, not just summer.
Lightening and wind storms	<ul style="list-style-type: none"> • There is a risk of storms, including lightening and high winds. • There is a risk of being struck by lightning or being hit by falling tree branches or other debris.
Swimming accident	<ul style="list-style-type: none"> • There is a possibility that a visitor could be injured while swimming (e.g., cramps, cuts, <i>etc.</i>)
Watercraft accident	<ul style="list-style-type: none"> • There is a possibility of capsizing in canoes, kayaks, and row boats.
Wildlife	<ul style="list-style-type: none"> • Visitors may encounter wildlife, including raccoons, porcupines, squirrels, skunks, deer, bears, etc. • Under most circumstances, wildlife will stay away from visitors and won't present a risk • However, wildlife can be unpredictable and may respond aggressively to visitors (biting, charging, spraying). USERS are prohibited from attempting to engage or interact with any wildlife
Getting lost	<ul style="list-style-type: none"> • Visitors will explore areas (trails, wetlands, lakeshore) beyond the building envelope. • There is the possibility of becoming lost or disoriented. USERS must stay with and follow the instructions of the Facility Booking Lead.