



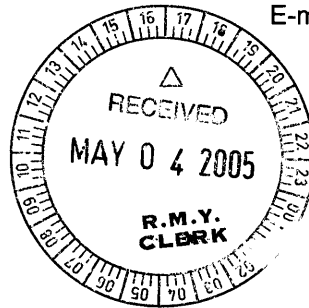
**The Corporation of the
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27 April 2005

Monique Smith, MPP Nipissing
165 Main Street East
NORTH BAY, ON P1B 1A9



**REGION OF YORK
CLERK'S OFFICE**

FILE No. - **P06**
-7Chair
-7CAO

Dear Madam:

This is Resolution No. 2005-317 which was passed by Council at its Regular Meeting held Monday, April 25, 2005.

Resolution No. 2005-317:

"WHEREAS the City of North Bay is forecasting to spend \$363,000 in its Parks/Trail Maintenance and Replacement Program over the next five (5) years;

AND WHEREAS municipalities have invested substantial public funds in the development of trails;

AND WHEREAS the public has made very significant use of trail systems for fitness and recreation to substantially improve their quality of life during all four (4) seasons;

AND WHEREAS those using trail systems have historically done so at their own risk;

AND WHEREAS the cost to maintain and police trail systems would be so prohibitive as to require their closure if made mandatory, whether by case law or statute;

AND WHEREAS various lawsuits have been filed claiming liability against municipalities and other trail owners;

AND WHEREAS the cost of insurance for the use of trail systems has already proven so expensive to be prohibitive;

NOW THEREFORE BE IT RESOLVED THAT Council request through our M.P.P. Monique Smith that the Minister of Municipal Affairs and Housing move to amend the *Occupiers Liability Act* so as to clearly establish that those using trail systems are deemed to do so at their own risk, so that owners and volunteer organizations will not be held liable in any way for any damages arising from the use of trails by the public;

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AND FURTHER THAT this resolution be circulated to all other municipalities greater than 50,000 in population, to all municipalities in the Blue Sky Region, to AMO, FONOM, NEOMAG and the North Bay and District Chamber of Commerce with the request that they pass similar resolutions of support."

Yours truly,


Catherine Conrad,
City Clerk.

CMC/cjc

cc: Association of Municipalities of Ontario
Federation of Northern Ontario Municipalities
Northeastern Ontario Mayor's Action Group
North Bay Chamber of Commerce
Municipalities of 50,000
Municipalities in the Blue Sky Region