

WAI NUI Boat Storage Agreement, Release from Liability, and Assumption of Risk

Organizer: Wai Nui O Kanaka Outrigger Canoe Club (Wai Nui)

WAI NUI Facility: 128 Water Street, Oakville, Ontario (under the Rebecca/Randall Street bridge adjacent to Sixteen Mile Creek). This is a shared use facility and the Organizer does not have the resources to continuously monitor the facility area.

Boat: stand-up paddle board, outrigger canoe, surfski, kayak, other small boat

User: The individual (Boat Owner) who registers to store a Boat within the facility.

Term: commences each year on March 2 and expires the following year on March 1

Boat Storage: Organizer allocates spaces. User stores their Boat in the allocated space at the facility, at their own risk.

Boat Ownership: The Boat must be owned, or co-owned, by the User. If co-owned, the User takes responsibility for all owners.

Access: The Boat may only be removed by the User or someone they've specified in writing to the Organizer. The User is responsible for these people's actions.

Risk and Liability:

- The Organizer and Town of Oakville are not responsible for any damage or loss to the Boat (e.g., fire, theft, vandalism, water damage, mysterious disappearance, birds, animals, natural events).
- The Boat remains the User's responsibility, including while in storage.
- The User should consider having their own insurance for the boat.

Fees and Payment:

- The User agrees to pay an annual Boat Storage fee within 30 days of expiry. Failure to do so results in loss of allocated Boat Storage space.
- The Boat Storage fee is non-refundable.

Storage Rules:

- The User must notify the Organizer in writing of any changes to the description of the Boat stored in the allocated space
- The Boat must be stored in the allocated space.
- The Organizer can reassign the User's space at any time and may move the Boat to the new space with 48 hours' written notice to the User.
- No modifications/alterations can be made to the allocated storage space except for adding padding to racks to protect boats.
- User's allocated Boat Storage space, including use of the facility, may not obstruct/interfere with the use of other adjacent Boat Storage spaces.
- The User may not transfer their allocated space to another individual.
- The User may only store Boats used for personal recreation, not for commercial or rental purposes.

Security, Damage and Maintenance:

- The Organizer will provide the User with the combination to the lock on the respective gate to access the allocated space at the facility.
- The User must lock gates after accessing the facility to prevent theft or damage.
- The User is responsible for any damage to the facility caused by them, their co-owners or their guests.
- The Organizer can repair, maintain or replace any part of the Boat Storage facility, including Boat Storage spaces, without prior notice.
- The User is to inform the Organizer immediately of any unsafe conditions they may encounter within or around the Facility.

Termination:

- The User can terminate the Agreement with written notice.
- The Organizer can terminate the Agreement for violations of terms, non-payment, or if the storage facility is damaged beyond use.
- If the Boat, or any unauthorized equipment, remains within the facility 90 days after the effective date of termination/expiry, the Boat, or equipment, will be considered abandoned, and the Organizer may dispose of it.

Indemnification:

- By agreeing to this, the User releases and indemnifies the Organizer and the Town of Oakville from any claims resulting from the Boat Storage or use of the facility.

Safety:

- The User acknowledges the risks involved in paddling on Sixteen Mile Creek and Lake Ontario and agrees to follow safe boating practices.
- User agrees to respectful behaviour around the Facility and to the conditions set out in the **Wai Nui Code of Conduct**.

Confirmation:

- The User confirms they have read and understood this Agreement, acknowledges the risks and responsibilities involved, and accepts its terms.
- For Users under the age of 18, a parent/guardian must sign this form on their behalf.

Wai Nui Boat Storage Policy

Member = Wai Nui program participant, Wai Nui board member, Wai Nui coach

Boat = outrigger canoe, surfski, kayak, Stand-Up Paddle board

Wai Nui Facility = 128 Water Street, Oakville, Ontario (under the Rebecca/Randall Street bridge adjacent to Sixteen Mile Creek).

Background

Due to increased demand for storage spots for Wai Nui club boats, private boats owned by members and the general public, this policy was prepared to communicate the allocation criteria to manage expectations and ensure transparency to members and non-members while maximizing the allocation of storage spots for outrigger canoe, surfski, kayak, Stand-Up Paddle board or other small boats within the Facility.

The **Wai Nui Club boat storage area** provides storage to performance sport boats within the Facility space.

The **Wai Nui public/non-members' boat storage area** is provided as a public service. These boats are stored in a separate compound within the Facility.

Storage space is reviewed each year and is allocated on a year-to-year basis. (i.e. boat owners are not guaranteed a storage space from one year to the next year or the same storage rack location)

The storage policy has been established to provide a fair system for allocation and use of the limited boat storage capacity. The allocation policy is to establish an equitable and fair process to maximize the use of both boat storage areas, and align with Wai Nui's mission. This ensures the facility supports its primary purpose of facilitating paddling.

As demand exceeds supply, Wai Nui maintains a **Waitlist**.

Members wishing to store their boat must first have the approval of the Commodore who will determine if criteria are met. Email requests for boat storage are to be sent to the Wai Nui Registrar at wainui.registrar@gmail.com. Once approved, if there is a suitable space available, the Wai Nui Registrar releases the **Boat Storage Agreement** for the boat owner to sign. The Agreement includes a description of the boat and payment information.

The Wai Nui Registrar allocates spaces to store boats, monitors compliance and, with the Commodore, enforces rules fairly.

Criteria for boat storage

- Effective for the 2027 season:
 - only members may store boats within the ***Wai Nui Club boat storage area***
 - one boat per member or non-member
 - for those with multiple stored boats in 2025, Wai Nui asks boat owners to reduce storage to one boat, voluntarily, to allow others to store their boats
- Boats stored in accessible racks are limited to seaworthy craft that are able to be paddled (no missing parts).
- Priority is given to outrigger/surfski/performance SUP that fit the available racks and specific length.
- Storage spots will be allocated based on the suitability of the boat (not all the racks are the same height or shape and different locations accommodate different length boats).
- Exemptions at the Commodore's discretion; the Head Coach may be exempt from this policy.

Wai Nui Club boat storage area criteria:

- Current year *Wai Nui Full Member* (Full Youth or Full Adult) in good standing
- Active member (attend programming sessions, require frequent use of boat during the paddling season)

Wai Nui public/non-members' boat storage area criteria:

- First priority given to Oakville residents, as per our Lease Agreement with the Town of Oakville.

Fee

- The full storage fee and applicable member discount are set on a year-to-year basis.
- Members: their first boat is discounted from the full storage fee. A second boat is at the full storage fee rate.
- A Wai Nui board member or Wai Nui coach (volunteer coach or hired coach) annually receives one complimentary non-transferable boat storage space.
- Non-members: the rate is the full storage fee.

Waitlist

If there is no boat storage space available, potential boat storage users will be added to a waitlist.

Wai Nui Club boat storage area

- *Wai Nui Full Member*, with priority given to those with longer *Wai Nui Full Member* seniority.
- A boat allocated to a family member or someone else who then becomes a member is added to the waitlist.
- Applicants for a second storage spot will be placed after those applying for their first storage space.

Wai Nui public/non-members' boat storage area

- priority given to those with longer storage seniority.