

# WARNINGS & LIABILITY LIMITS

## For ADULT GUESTS of the Lower Columbia Canoe Club, Inc.



1. LCCC recommends members and guests to be familiar with the current American Whitewater safety code available at: [www.americanwhitewater.org/content/Wiki/safety:start](http://www.americanwhitewater.org/content/Wiki/safety:start). Guests acknowledge having access to this safety code. LCCC advises guests to study safety advice in books such as *Whitewater Rescue Manual* and to take courses on river safety and rescue.

2. The literature discusses common dangers, but on the water perhaps nobody will recognize the danger. Hunger, fatigue and weather weaken perception and judgment. A little imagination suggests dangers not ordinarily discussed, such as car wrecks, solvent fumes while working on boats, back injuries from portaging, rattlesnake bites while scouting, and so on. There are more risks inherent in the sport than the club can itemize. People make errors in judgment and execution. Boats collide, perhaps because somebody loses control or doesn't look. Lead boats signal a following boat into a bad route through a rapid. Rescuers throw ropes errantly or pull a pinned boat into a worse fix. CPR cards expire. Somebody fails to tie a canoe down to a car. LCCC regards such events as errors of strategy or execution made in a sport, and the signers of this waiver release, discharge and covenant not to sue the LCCC for the consequences. Each guest must anticipate the errors and take appropriate precautions.

3. The club can't expect members to hazard their families' financial security when they volunteer to coordinate trips. Coordinators' only reward is esteem, and the club believes their only penalty should be loss of that esteem. This waiver therefore excludes liability for setting bad examples, advising erroneously, misjudging a participant's readiness for a trip, or otherwise falling short of the coordination the club hopes for. Coordinators are not certified by any outside agency; any coordination standards the club may adopt are exhortations, not guarantees.

4. By boating with the LCCC the guest (or guests) assumes the risks to self — as well as to any minor for which he or she is parent or legal guardian — of death or injury mentioned here or in the literature and those inherent in the sport. The guest waives claims which may arise against the club, its members, officers, servants, agents and trip coordinators, for death or injury to person or property, including claims of vicarious liability and claims arising from negligence. Not waived are claims against an individual who causes injury intentionally, recklessly or with gross negligence (though gross negligence must be proven by clear and convincing evidence) and claims among driver, owner and passengers of a motor vehicle for injuries ordinarily covered by insurance.

5. LCCC adopts the AWA code's declaration of an individual's responsibility for his or her own decisions. Only the paddler knows his or her own health, strength and preparedness. Each experienced paddler has at some time declined to put in after arriving at a river or lake shore even though others did, or declined to run a particular rapid even though others did. LCCC disavows the AWA code's characterization of a river trip as a "common adventure" in which participants "share the responsibility for the conduct of the trip."

6. This waiver shall be broadly construed in favor of protection from liability, as guests and members are mutually relinquishing possible claims in exchange for protection. The guest is free to form another club or paddle with non-members on different terms. No trip coordinator or participant can relax the liability limits stated here. Only formal action at a club meeting can relax the liability limits. **As a complete, unconditional lifetime release of all liability for this and any other paddling trip with the LCCC**, this waiver's limits apply even on private boating trips with members unless the persons involved agree otherwise.

I have read the **LCCC WARNINGS AND LIABILITY LIMITS**. I understand it, agree with it, and by signing this form, acknowledge the LCCC Warnings and Liability Limits as a condition of participation as a guest in the Lower Columbia Canoe Club, Inc.

Name (print) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Name (print) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Name (print) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

Name (print) \_\_\_\_\_ Signature \_\_\_\_\_ Date \_\_\_\_\_

**Note:** All guest participants younger than 18 should sign the MINOR GUEST waiver along with their parents. This waiver is available at: <http://www.l-ccc.org/handbook.php>