



Rental Agreement Terms and Conditions

Lake Country Adventure Co. is operated by Lake Country Adventure Co. Inc.

1. Minimum age of renter is 21 years of age
2. A valid driver's license or passport must be presented at time of reservation and rental
3. A valid boater's license must be presented at time of reservation and rental. If no boater's license, renter agrees to complete training module.
4. Lake Country Adventure Co. Rentals reserves the right to require any renter to complete a quiz and/or supplemental training at its sole discretion.
5. Additional operators are allowed provided they have been pre-approved with individual applications and training verifications. Cost per additional operator is \$25/rental
6. A credit card deposit equal to one day rental is required to confirm reservation. Multiple machines/boats require additional deposit. Balance of reservation must be paid in full 14 days prior to pick up date
7. There is a **No Refund policy for cancellations less than 14 days**. For cancellations greater than 14 days there is a 50% refund and a 50% credit on future rental.
8. The renter acknowledges that Lake Country Adventure Co. Rentals will take a damage deposit hold on the renter's credit card of up to \$2000/machine.
9. The renter acknowledges that he/she is responsible for all damage or theft to the rented boat or PWC, trailer or equipment however caused.
10. The renter will secure boat, trailer or PWC if renting more than one day to prevent theft or damage
11. The boat or PWC will not be moved or operated more than 100 miles from Lake Country Adventure Co. Rentals location
12. The boat or PWC must be picked up and returned within the business hours of operation
13. In the event of a mechanical breakdown that is not the fault of the renter, Lake Country Adventure Co. Rentals will try and provide an alternate boat or PWC. If unable to provide a suitable alternate, Lake Country Adventure Co. Rental will at its discretion refund all or part of the rental fee commensurate with time used but will not be responsible for any other costs associated with the breakdown.
14. Lake Country Adventure Co. Rental reserves the right to substitute a PWC or boat at its discretion. Renter should not assume that colour, features, H/P, accessories, or size will be identical to pictures on the web site or in the reservation.
15. No refunds for weather related issues, no exceptions
16. Gas and oil expenses are not included in the rental fee and are extra.
17. Each renter, passenger and parent (if child under 18) must sign the liability waiver form prior to renting.

18. Each boat or PWC will be inspected at the beginning and completion of each rental for damage and mechanical condition.
19. Renter must observe all speed limit and no wake signs
20. Renter and all operators must not be under the influence of any drug or alcohol while operating the PWC or boat.
21. Renter shall not beach the PWC or boat as it can cause serious damage to the jet drive or shoot small stones and objects at people behind.
22. Renter must have at least one cell phone in party in waterproof case for emergencies
23. Renters acknowledge that they understand that their behaviour and actions while in command of a vessel is subject to provisions of various Provincial and Federal laws including criminal charges pertaining to the safe operation of a vessel. Attached is a summary of some but not all of these regulations. Careless operation, Dangerous operation and various alcohol related charges apply to operation of a boat or vessel. Drinking alcohol out of residence is not allowed and subject to a Provincial Offences charge. None of the boats or PWC rented by Lake Country Adventure Co. Rentals qualifies as a residence for alcohol consumption purposes.
24. Operators approved in the rental contract only may operate the boat or PWC.
25. A lifejacket or approved flotation device must be available for each person on board the boat or PWC.
26. Mandatory Safety equipment is provided for each PWC or boat. Do not remove these items from the vessel.
27. The operator of the vessel must have either a Pleasure Craft Operator Card or a copy of their rental agreement on their person and must produce same if requested by a Police Officer.

I have read these terms and conditions and agree to abide by these rules. Further I will operate the vessel with care and attention for operator, passengers, other boaters' and property owners' safety. I acknowledge that damages to the PWC or boat will be deducted from the security deposit.

Name _____ Signed _____ Dated _____

Witness _____

Summary of Boating Rules and Regulations

Source BoaterExam.com

Alertness

The Collision Regulations requires that anyone operating a vessel be constantly on the alert, both in sight and sound.

Operating a vessel requires the operator's sustained attention; operators must be constantly alert and watchful to everything around them. Not only must they take account of what is happening in front, behind and on both sides of them, like a road vehicle driver, but they must also pay attention to what is under them. A single glance at the sky is enough to see the early signs of bad weather, or perceive impending dangers (electrical wires or others).

The water surface can also conceal dangers: tree trunks, water plants, rocks near the surface, etc. For that reason, they required deep concentration when operating a boat. This alertness allows the operator to adjust speed to boating conditions, and thereby enhance the safety of the operator and of others.

The Effect of Waves

One of the rules governing the operation of a vessel is that every vessel is responsible for the effects of its wake. Boat operators must therefore ensure that the wake of their vessel does not endanger nearby pleasure boaters or cause property damage to their vessels.

Boaters coming to help must not compound the circumstances of an accident or, for that matter, cause another one. The effect of the boat's wake is extremely important when approaching the victim. Steps must be taken to ensure the wake is not so high that it washes over the victim.

Lastly, pleasure craft operators must know that they cannot interfere with marine signals, as stipulated in section 439 of the Criminal Code of Canada, by:

1. mooring the vessel to a signal, buoy or other sea-mark used for navigation;
or
2. Willfully altering, removing or concealing a signal, buoy or other sea-mark.

Provisions of the Collision Regulations pertaining to the conduct of pleasure craft in sight of other vessels.

Know that the operator of a pleasure sailing craft, that has the wind on the port side, shall take early and substantial action to keep well clear of other sailing vessels as described in the Collision regulations, Rules 12 and 16.

Know that the operator of a pleasure sailing craft, that has the wind on the same side and is to windward of other sailing vessels, shall take early and substantial action to keep well clear of sailing vessels which are to leeward as described in the Collision Regulations, Rules 12 and 16.

Know that the operator of a pleasure sailing craft, that has the wind on the port side and cannot determine with certainty whether other sailing vessels to windward have the wind on the port or on the starboard side, shall take early and substantial action to keep well clear of the sailing vessels as described in the collision Regulations, Rules 12 and 16.

Know that the operator of a pleasure craft shall take early and substantial action to keep well clear of vessels being overtaken as described in the Collision Regulations, Rules 13 and 16.

Know that the operator of a pleasure craft, which has other power driven vessels on his/her own starboard side and cross them so as to involve risk of collision, shall take early and substantial action to keep well clear and shall, if the circumstances of the case admit, avoid crossing ahead of the other vessels as described in the Collision Regulations, Rules 15 and 16.

Boating and Alcohol

Drinking alcohol in a boat is no less dangerous than in a car. The effects of the sun and wind, combined with the use of alcohol, seriously distorts judgment and dulls the reflexes. Unfortunately, alcohol is a factor in a high percentage of fatal boating accidents. In December 1985, major amendments to the Criminal Code of Canada took force in regard to vessels. These amendments led to more severe police action, especially for offences committed under the influence of alcohol.

Dangerous Driving

Section 249(1)b of the Criminal Code of Canada provides:

“Everyone commits an offence who operates a vessel or any water skis, surf-board, water sled or other towed object on or over any of the internal waters of Canada or the territorial sea of Canada, in a manner that is dangerous to the public, having regard to all the circumstances, including the nature and condition of those waters or sea and the use that at the time is or might reasonably be expected to be made of those waters or sea;”

Everyone one who commits an offence under this section may be sentenced to imprisonment for a term not exceeding five years.

If the offence caused bodily harm to another person, the length of imprisonment may be up to ten years.

If the offence caused the death of another person, the person who committed the offence is liable to imprisonment for a term of up to fourteen years.

Section 250(1) of the Criminal Code of Canada also provides:

Another responsible person must be on board a vessel to keep watch on any person being towed.

Impairment

The most radical change to the Criminal Code of Canada, 1985, in regard to boating concerns the operation of boats by impaired persons.

Section 253 of the Criminal Code of Canada provides:

“Every one commits an offence who operates a motor vehicle or vessel or operates or assists in the operation of an aircraft or of railway equipment or has the care or control of a motor vehicle, vessel, aircraft or railway equipment, whether it is in motion or not,

1. while the person's ability to operate the vehicle, vessel, aircraft or railway equipment is impaired by alcohol or a drug; or
2. Having consumed alcohol in such a quantity that the concentration in the person's blood exceeds eighty milligrams of alcohol in one hundred millilitres of blood.”

The Criminal Code amendments allow officers of the peace who have reasonable grounds to suspect that a boat operator has used alcohol to request that such operator take a breathalyser test, just as they would for a car driver.

Now, there is no distinction between driving a car and driving a boat if the operator is impaired; the offence is the same. Refusal by a car driver or boat operator to take a breathalyser test is also an offence.

The sentences involved in committing the offence of driving while impaired are the same for boats or cars. For a first offence, the minimum sentence is \$600. For a second offence, the minimum sentence is 14 days of imprisonment. For each subsequent offence, the offender may be imprisoned for at least 90 days.

These above convictions reflect minimum sentences. Whenever bodily harm is involved, the Court is free to impose a sentence of imprisonment of up to 10

years. If the offence results in the death of another person, the sentence of imprisonment can be as long as imprisonment for life.

In addition to the above sentences, the Courts can prohibit the convicted person from operating a boat for at least three months. Anyone found operating a boat while under such a suspension is liable to two years of imprisonment.

Although the Courts cannot suspend the operating license of a person found guilty of a boat operation offence, they may and must prohibit such persons from operating a boat for at least three months.

For an offence set out in the Criminal Code providing a minimum sentence of 14 days of imprisonment for a second offence, the two offences need not have been committed in the same circumstances. In other words, if a person was guilty of driving a boat while impaired and later a vehicle, or vice versa, the second time would be considered a second offence, and the offender would spend at least fourteen days in prison. Obviously, the same reasoning applies to any subsequent offence.

The offence of "Careless Operation of a Vessel", has been added to the Small Vessel Regulations. An operator who is doing any of the following could be charged:

- traveling in a way that could adversely affect the safety of people or property considering the weather, boat traffic, hazards or potential hazards, or the number of people around the boat
- Operating a vessel in a careless manner, without consideration for other people or for the factors listed immediately above.

Others have been added to the Criminal Code of Canada:

- operating a vessel dangerously
- operating a vessel when impaired
- towing water skiers improperly
- failing to stop at the scene of an accident
- operating an unseaworthy vessel

I HAVE REVIEWED MY RESPONSIBILITIES FOR OPERATION OF A WATERCRAFT.

NAME _____

DATE _____