



STOP GAP POLICY	
Policy Number:	Effective Date: April 3, 2017
Approved By: Council	Revision Date:

## ***STOP-GAP POLICY***

### **PURPOSE**

To create awareness about barriers in our built environment by allowing the deployment of deployable entry ramps to businesses in the Township of North Huron. The policy is to create a process to ensure the Township's administrative requirements of participating business are met with respect to liability reduction for the Township. The StopGap ramp program is available through the Huron County Accessibility Advisory Committee to single stepped storefronts which currently prevent access to some individuals including people in wheelchairs, with mobility devices and strollers.

### **ELIGIBILITY**

This policy applies to any businesses participating in the StopGap ramp program in the Township of North Huron administered through the Huron County Accessibility Advisory Committee.

### **APPLICATION PROCEDURES**

An application for the program should be completed through the Huron County Accessibility Advisory Committee. Part of the application process, administered through Committee resources, will include a waiver/indemnification clause with respect to the Township of North Huron interests, which business owner's are required to sign-off before the Township will permit the use of a StopGap ramp, or any other store access ramp needing deployment on or nearby the Township sidewalk to provide barrier free access to businesses.

The Township will require the waiver signed, as well as annual proof of insurance with the Township being named as co-insured. Each application shall include:

- Township of North Huron – Waiver of Liability Form
- A "Certificate of Insurance" for Commercial General Liability of not less than \$2,000,000.00 (two million dollars)
  - The policy must be written on an Occurrence Basis, Claims Made policies are not acceptable, and must include:
    - Bodily Injury
    - Property Damage
    - Contractual Liability
    - Cross Liability Clause and Severability of Interest Clause
  - The Corporation of the Township of North Huron needs to be added as an additional insured but only in respect of their interest in the operation of the Named Insured

StopGap Huron will administer the program, and provide owner information to the Township of waiver sign-off and proof of insurance for the participating businesses.



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Once these have been met as outlined above in a satisfactory condition, StopGap will be notified by the Township in writing.

The use of the ramp is the sole responsibility of the business owner, and the ramp must only be deployed when required.

#### **ADMINISTRATION**

- The program of materials and labour for construction of the ramps is administered through the Huron County Accessibility Advisory Committee.
- The program application process and verification process is conducted by the Huron County Accessibility Advisory Committee.
- The Township will verify insurance requirements, waiver requirements and provide written notice to StopGap for each participating business owner.
- Access to this program is coordinated through Huron County Accessibility Advisory Committee in consultation with the Township of North Huron.
- Deployment of the ramp on the sidewalk without Township approval through this policy may result in penalties for owners.
- The approval requirements for this program with respect to North Huron interests are outlined in Appendix A and B attached.



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**Appendix A**  
**Waiver Liability, Assumption of Risk and Indemnity Form**  
**Township of North Huron – StopGap Huron – The Ramp Project**

**Business/Organization** \_\_\_\_\_

**Street Address** \_\_\_\_\_

**Province** \_\_\_\_\_ **City/Town/Village** \_\_\_\_\_ **Postal Code** \_\_\_\_\_

**Phone Number** \_\_\_\_\_ **Email** \_\_\_\_\_

*Please read carefully before signing.*

By signing this document, you waive certain legal rights, including the right to sue.

I understand that The StopGap Foundation ("StopGap") will construct and provide my business within the Township of North Huron with a temporary ramp to be used to access my single stepped storefront. Once StopGap delivers the ramp, it is my property and my sole responsibility. **I understand that in order to participate in The Ramp Project and use the ramp on or around the Township sidewalk, I must agree to and sign this waiver and indemnity.**

I know that this ramp is not intended to be a permanent ramp to my storefront and that the ramp should only be used when needed. When in use, the ramp should be level and flush against the step with no gaps present. When the ramp is not in use, it is not permitted to be deployed on or around the Township sidewalk. I understand that the use or storage of the ramp could cause injury to persons or property, and the Township is not responsible for any damages that may occur as a result of any injury.

I voluntarily and unconditionally release the Township of North Huron, its employees, contractors, agents, directors elected officials, or volunteers from all claims including, but not limited to, personal injury, bodily injury and property damage, whether caused by negligence or otherwise, which I have or may have in the future or during my participation in StopGap - The Ramp Project.

I agree to indemnify and hold harmless the Township of North Huron, its employees, contractors, agents, directors, elected officials, or volunteers for any and all liabilities, damages, costs, claims, suits, and actions that are directly or indirectly related to my activities, or my participation in StopGap - The Ramp Project.

I agree to provide the Township of North Huron annually, regardless the use of the StopGap Ramp, with copies of "Certificate of Insurance" for Commercial General Liability of not less than \$2,000,000.00 (two million dollars) and include the Corporation of the Township of North Huron as an additional insured.

I agree not to sue or bring legal action against anyone who could seek contribution or indemnity from the Township of North Huron, its employees, contractors, agents, directors or volunteers under the *Negligence Act*.

\_\_\_\_\_  
Owner/Manager Signature

\_\_\_\_\_  
Owner/Manager Printed Name

\_\_\_\_\_  
Date



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"I have authority to bind the corporation"

Print First and Last Name

## **Appendix "B"**

### **Certificate of Insurance**

Regarding the use of the StopGap Ramp, the Township requires that the business provide a "Certificate of Insurance" for Commercial General Liability of not less than \$2,000,000.00 (two million dollars).

Please note the following:

The policy must be written on an Occurrence Basis (Claims Made policies are not acceptable) and must include:

- Bodily Injury
- Property Damage
- Contractual Liability
- Cross Liability Clause and Severability of Interest Clause

The Corporation of the Township of North Huron needs to be added as an additional insured.