

New 'No Tobogganing' sign on town's lone tobogganing hill

For many who have grown up in Orangeville, there has been a longstanding winter tradition of tobogganing on Murray's Mountain. The hill, which leads directly onto the track and a soccer field, has always been in the perfect position for a great ride. But recent changes have left much of Orangeville in an uproar, particularly on Facebook, where residents have been very vocal about their feelings.

Last week's outrage was caused by the placement of a new 'No Tobogganing' sign on the hill four weeks ago, and while there is no official by-law number on the sign, according to police and the Town, the ban is still legal.

According to a press release put out by the Town of Orangeville on Thursday afternoon, the ban is not new; a sign was originally erected in 2009 when the property was purchased by the Town from the Upper Grand District School Board. The new sign has been erected on the same pole, but is much larger, and more visible, whereas the previous smaller sign was posted on the back of the pole. This change has made the sign more visible to those climbing the man-made hill, rather than just those about to sled down the hill.

The move to put the sign in place after the purchase was directed by the Town's insurance company in order to protect the Town from possible legal repercussions.

'Murray's Mountain has never been classified as a toboggan hill, it's never been insured as a toboggan hill, and it's never been maintained as a toboggan hill,' said Parks and Recreation Director Ed Brennan. 'While we all appreciate fun winter activities, some of them have inherent risks and bring liability issues for municipalities.'

On Thursday morning, Mayor Jeremy Williams took to Facebook to address the concerns, indicating he had received a large number of comments from members of the public that he was working diligently to address.

'I was tempted to remove the sign myself, however that wouldn't be appropriate,' he wrote. 'Two things are crystal-clear. We must remain compliant with our insurance policy and Orangeville values Murray's Mountain, and for most of us it is a part of our childhood that shouldn't be 'taken away' by bureaucratic procedures.'

He added that he intended to bring the issue to council on Monday night.

'In order for us to officially allow tobogganing on the hill we must get our insurance to include it in our policy,' he said.

'There may be costs involved, including adding staff time to maintain the hill to safe standards just like is done with snowboard or ski hills.'

Residents of the area found their own ways to take action and ensure their voices were heard in this discussion, both at a local level and a provincial level. Teresa Wing, a resident of Shelburne, has launched a petition on [change.org](#) that is directed to Premier Kathleen Wynne, demanding the Province take action and stop such bans on tobogganing.

'People have been tobogganing for decades upon decades,' said Ms. Wing in the petition description. 'It's not only a Canadian tradition but it's also our right to have fun in a great winter activity! Can there be injuries? Yes, it happens, as it does with numerous activities. They all have an element of risk of injury! Are we going to ban those next?'

Rob Stewart, an Orangeville resident who has been active on the Orangeville and Area Q&A Facebook page for quite a while, arranged a 'sled-in' for Sunday, to make sure that council heard the voices of the residents. After the Mayor's announcement however, the event changed to a community sledding event, designed to show the kind of spirit and fun tobogganing brings.

The event, as well as the upset made national news, with brief segments shown on networks like CTV, and articles run in Canada-wide publications like the National Post and The Huffington Post.

"This is one of those unfortunate circumstances we find ourselves in the modern world," said Mayor Jeremy Williams in the press release. "I'm looking forward to Orangeville Council weighing in to see how we can legally permit tobogganing in future."

The issue, which was broached as promised at Monday night's council meeting, was bumped forward on the agenda in order to bring peace of mind to a young resident who had come out to show his support on having the issue reversed.

"Murray's Mountain was built as a toboggan hill, it has been used as a toboggan hill, and most of us have been down that hill at some point in our lives," said Mayor Williams on Monday night. "Right now, this is a liability issue. We've been told that we must post this sign. It's a little ridiculous to me, but this is a bigger issue. It might be a small toboggan hill that raised this, but it has become a national issue."

The Mayor put forward a motion requesting that staff look into what options the town has to reopen the hill for tobogganing uses, including whether or not it would require maintaining the hill much like one would for skiing and snowboarding.

Councillors Don Kidd and Nick Garisto were both on board with the idea, having attended the sled-in on Sunday.

"When you see the look on the faces of some of those children going down the hill, banning it would be a really bad thing for us to do," said Councillor Garisto. "It's a recreation opportunity and it's basically in the middle of town, so it's easy access. Even my kids grew up tobogganing there."

He added that while there are certainly liability issues, it could be worth looking into how the school board was able to get away with allowing public tobogganing on the hill without facing the same issues with liability that the town is currently facing.

While the Town does have insurance on Murray's Mountain, the insurance can only protect the Town currently as long as the "No Tobogganing" sign is up. Although there is no bylaw against tobogganing there, legally, anyone caught doing so could face trespassing charges, just as they would for not abiding to rules posted on public property.

"Police always have the opportunity to use their discretion with matters like this," said Police Chief Wayne Kalinski, in response to a question by Councillor Kidd about whether the Town is pursuing that kind of action. "At this point in time, we are using our discretion, and are staying away from Murray's Mountain."

The motion passed, which now leaves both Council and residents waiting with baited breath for what the future will hold for Murray's Mountain and Orangeville tobogganers.

"We have to fix this situation," said Mayor Williams. "Kids have the right to toboggan, we just have to make sure that we handle this matter in a prudent fashion."

Currently Town Staff are working on replacing the sign, after it was stolen again some time on Saturday. Earlier this week, signs saying "Save Murray's Mountain" were pinned to the post.