



## **RELEASE OF LIABILITY**

### **READ AND UNDERSTAND THIS BEFORE YOU SIGN IT**

In consideration of \_\_\_\_\_ (the "Participant") being permitted to ride horses and/or receive instruction and/or instruct others on horsemanship and/or board horses and/or otherwise engage in activities on premises owned by Banks Family Farm, LLC and operated by Vining Hill Equestrian Center Inc, located at 20 Vining Hill Rd, Southwick, Massachusetts, (the "Premises"), and in consideration of the Participant being permitted to ride horses owned or boarded by Vining Hill Equestrian Center Inc and/or receive instruction and/or instruct others on horsemanship at locations on and off said Premises, the Participant and his/her parent or guardian (if Participant is under 18 years of age) agree that Jeramie Banks, Susan Banks, Banks Family Farm, LLC, Vining Hill Equestrian Center Inc and the members, agents, servants, employees and independent contractors of any of them (collectively the "Releases") shall not be liable for, and agree to waive, discharge, and release them from, any accident, personal or bodily injury, death or property damage that may be sustained by any person or entity, including without limitation the Participant, as a result in whole or in part from the Participant's riding horses on or off the Premises and/or receiving instruction on or off the Premises and/or instructing others on or off the Premises and/or boarding horses on the Premises and/or being on the Premises for any purpose. This Release includes without limitation, any accident, personal or bodily injury, death or property damage arising in whole or in part from the negligence of the Releases.

The Participant and his/her parent or guardian recognize that riding and working around horses can be dangerous due to their size and unpredictable nature. Participant and his/her parent or guardian also understand that the Premises and other riding locations may contain uneven footing and other hazards caused by tree roots, animal burrows, erosion, low lying tree branches, rocks and other natural and man-made conditions. Participant and his/her parent or guardian voluntarily assume all risks and dangers associated with same.

The Participant and his/her parent or guardian agree to hold harmless, defend and indemnify the Releases from any claims, demands, or suits arising in whole or in part from Participant's riding on or off the Premises and/or receiving instruction on or of the Premises and/or instructing others on or off the Premises and/or boarding horses on the Premises and/or being on the Premises for any purpose, including without limitation those arising in whole or in part from the negligence of the Releases.

The Participant and his/her parent or guardian represent that the Participant has medical insurance covering the Participant in the event the Participant is injured, that the Participant will continue to have such medical insurance in effect at all times, and that the Participant and his/her parent or guardian will seek reimbursement for all medical expenses solely from said insurance.

This Release is binding on the Participant and his/her parent or guardian and their heirs, executors, administrators, successors and assigns whether or not said accident, personal or bodily injury, death or property damage is due in whole or in part to the negligence of the Releasees.

**EQUINE LIMITATION OF LIABILITY LAW**

**WARNING: "UNDER MASSACHUSETTS LAW AN EQUINE PROFESSIONAL IS NOT LIABLE FOR AN INJURY TO, OR DEATH OF, A PARTICIPANT IN EQUINE ACTIVITIES RESULTING FROM THE INHERENT RISKS OF EQUINE ACTIVITIES PURSUANT TO SECTION 2D OF CHAPTER 128 OF THE GENERAL LAW."**

PHOTO RELEASE: By checking this box, I grant Vining Hill Equestrian Center, Inc. permission to use my/my child's photograph(s) for any legal use, including but not limited to: publicity, copyright purposes, illustration, advertising, social media, and web content.

\_\_\_\_\_  
*Signature of Participant (if 18 years or older)* *Date* \_\_\_\_\_

\_\_\_\_\_  
*Print or Type name of Participant(s) (regardless of age)*

\_\_\_\_\_  
*Signature of parent or legal guardian if Participant is Under Eighteen (18) Years of Age* *Date* \_\_\_\_\_

\_\_\_\_\_  
*Print or Type name of Parent or Legal Guardian*

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

\_\_\_\_\_  
*City, State, & Zip Code*

\_\_\_\_\_  
*Telephone Numbers (Home AND Work AND Cell Phone)*

\_\_\_\_\_  
*Email*

## **Lesson Cancellation Policy, Protective Attire & Physical Character of the Horse**

### **Section A. Lesson Cancellation Policy**

Students must give notice of cancellation by 4PM the day before their lesson in order to not be charged. If less notice is given, or a student fails to show for a lesson without calling, students are required to pay in full for that session. If proper notification is given, make up lessons can be scheduled depending on availability.

### **Section B. Protective Attire**

I am hereby advised to purchase and wear a well-fitted helmet fastened securely under the chin, while working around and or riding horses to prevent injury.

I am hereby advised to always wear hard soled, fully enclosed footwear with at least a ½” heel, socks to protect feet, and long pants to protect legs while working around and riding horses.

### **Section C. The Nature and Physical Character of the horse**

While domesticated, well-trained horses are usually obedient, docile and affectionate, it is important to understand that their survival instincts are what have allowed them to survive in the wild and are still present with them today.

I am advised that horses are unpredictable by nature, with minds of their own, as are all animals both domestic and wild. The horse is often somewhat high-strung or nervous by nature. Horses are extremely strong and powerful physically. Horses are extremely heavy, weighting from 600-1,300 pounds on average. These characteristics deserve a human beings respect.

I am advised that when a horse is frightened, angry or under stress or feels threatened from behind, it may kick straight back, sideways in either direction, or even forward with either of its hind legs with tremendous force.

I am advised that if a horse is frightened or feels threatened from above or on its back, it may hunch its back and buck in a way that could throw riders to the ground with tremendous force. A fall from a horse will usually be from a height of 4 to 7 feet.

I am advised that if a horse is frightened from the front, it may naturally react by rearing up with its front legs, strike with one or both front legs, bite with its teeth, throw its head up or from side to side, or run directly over whatever it fears in front of it.

I am advised that a human must always approach a horse calmly and quietly and cautiously, preferably from the head, to its shoulder to neck talking soothingly.

I am advised that loud and or sudden unexpected movements, dropping of objects near a horse, approaching vehicles or animals or people, ill-fitting equipment or physical pain can provoke a domesticated horse to react accordingly to their natural protective instincts.

I am advised that the first signs of anger or fear in a horse are the sudden tensing of muscles of the body, possibly laying its ears back against its head or quickly tossing or raising its head, or sudden snorting through the nostrils accompanied by at least one other warning sign.

I am advised that a horse can see independently with each eye, actually looking in one direction with the other eye, or it can focus both eyes on one object somewhere in front of it; that usually the direction the ear is pointing will tell an observer where the eye is looking on the same side, and consequently, on what the horse is likely concentrating on at the moment.

I am advised that the horse has two blind areas around it, which it cannot see. It cannot see directly behind it, and not what it is eating. This is the reason it is best to approach a horse close to its shoulder, and never surprise a horse from the rear or to reach for its mouth.

I am advised that while a horse is very sure-footed by nature, it may accidentally step on an object such as a human foot, when balancing itself or turning about. Also, that if a horse is ridden or worked on unstable ground or slippery grass or footing, it could fall down, thus injuring rider and handler.

I am advised that the above paragraphs are not exclusive or exhaustive, that individual horses may react to stimuli in unpredictable ways.

After reading the above, please write out the following statement on the line provided below:

**YOU MUST WRITE OUT THIS STATEMENT BEFORE YOU CAN RIDE**

**“I have read and understand the aforementioned warnings concerning protective attire and the physical character of the horse.”**

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Signed \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_

Guardian or parents if a minor child or legal ward is less than 18 years old.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Printed Name \_\_\_\_\_