

Monterey Beach SportsFest Participant WAIVER

1. I understand that entering the Monterey Beach SportsFest (Swim Events, Splash and Dash, Ikaika Challenge, SUP, Beach Volleyball and other sports activities) is a hazardous activity. 2. I understand that the Monterey Beach SportsFest presents extreme athleticism including, but not limited to, ocean swimming and sand events including running. 3. **I agree not to participate unless I am medically able.** 4. I agree to not consume alcohol prior to the Monterey Beach SportsFest or ingest any medicines or substances that will inhibit my mental or physical ability to safely and effectively participate in the Monterey Beach SportsFest. 5. I agree to abide by any decision of a race official relative to my ability to safely complete the race. 6. I agree to obey all civil and criminal laws at all times. 7. I assume all risks associated with competing in the Monterey Beach SportsFest, including but not limited to falls, contact with other participants, negligent or wanton acts of other participants, completing all swim and sand events, ocean wildlife defects or condition of premises, the effects of the weather, including high heat and/or humidity, all such risks being known and appreciated by me. **I understand open-water ocean swimming has inherent hazards, including potential direct exposure to jellyfish and other ocean wildlife.** 8. I agree that the Monterey Beach SportsFest is not responsible for any personal items or property that are lost or stolen in the gear check area. 9. I consent to emergency medical care and transportation in order to obtain treatment in the event of injury to me as medical professionals may deem appropriate. This Release extends to any liability arising out of or in any way connected with the medical treatment and transportation provided in the event of an emergency. 10. I understand and will abide by the rule that no wheeled baby conveyances or other wheeled means of conveyance, or pets are permitted in the race. 11. I grant permission to the Monterey Beach SportsFest, its affiliates, sponsors, and assigns to use any photographs, motion pictures, recordings or any other record of this event for any purpose including but not limited to promoting, advertising and marketing purposes. Any and all photographs, motion pictures, recordings or other records of the event are the sole property of the Monterey Beach SportsFest. 12. **I understand that all entries are final with no refunds or transfers.** **13. The official race directors reserve the right in any event of emergency or local or national disaster to cancel the race, and in the event of cancellation or change there is no refund of entry fees.**

You are agreeing to this section of the waiver ONLY IF YOU ARE A PARENT OR GUARDIAN OF A PARTICIPANT UNDER THE AGE OF 18: I, the parent or guardian of the above named participant, hereby give my approval to this child's participation in the race and its activities. I assume all risks and hazards incidental to such participation in the Monterey Beach SportsFest, and I hereby waive, release, absolve, indemnify, and agree to hold harmless the Monterey Beach Sportsfest its officers, heirs, assigns, administrators, personal representatives and executors, firms, corporations, businesses, and past and present employees, owners, agents, shareholders, volunteers, administrators, sponsors, supervisors, participants, all city, county, and state governments, and all sponsors, their representatives and successors and others persons, for any claim arising or of an injury to my/our child and from any and all claims, causes of actions, obligations, lawsuits, charges, complaints, contracts, controversies, covenants, agreements, promises, damages, costs, expenses, responsibilities, of whatsoever kind, nature or description, whether, direct or indirect, in law or in equity, in contract or in tort, or otherwise, whether known or unknown, from all claims or liabilities of any kind arising out of or connected with my child(ren)'s participation in this event. I consent to the foregoing and grant permission for him/her to participate in the Monterey Beach SportsFest. I acknowledge I have carefully read, accepted and agreed to the terms on this Release and Liability waiver, and know and understand their contents and I sign the same on my own free act and deed.