

SSA LANDOWNER BROCHURE

A Message to Our Valued Landowners

Since 1971, the Saskatchewan Snowmobile Association (SSA) has worked to represent snowmobilers and develop a safe, connected trail system across the province. Today, the SSA, appointed by the Ministry of Parks, Culture and Sport, manages over 11,000 kilometers of snowmobile trails, thanks in large part to the support of local clubs, volunteers, and landowners like you.

Our network of non-profit snowmobile clubs relies on the generosity of private landowners who permit trails on their property each winter. This partnership provides lasting social, recreational, and economic benefits to rural communities.

We recognize that access to your land is a privilege, one we take seriously. Through the efforts of our clubs, volunteers, and the SSA, we are committed to responsible land use and the highest level of respect for your property. For clarity, this brochure addresses the seasonal use of a designated snowmobile trail right-of-way on private land by SSA Member Clubs and permitted riders only, and encourages collaborative, transparent communication between landowners and clubs.

This booklet was created to answer your questions and highlight the value of your involvement. On behalf of your local club, snowmobilers, and communities across Saskatchewan, thank you for your consideration and support.

Frequently Asked Questions:

By giving land use permission to my local snowmobile club, do I lose any ownership rights to my land?

No. All you are doing is allowing the local club seasonal use of a specified portion of your land for a snowmobile trail. We do not want to use all of your land, or prevent you from using any of it, or even to use the designated trail corridor in any other season. The land is always yours to own and control, and you may revoke the land use permission with 30 days' written notice to the club. In extenuating circumstances, the club may waive the 30-day notice period. This permission does not create a tenancy, easement, or other interest in land; it is a limited, revocable consent to use the designated trail right-of-way for snowmobiling during the permitted period.

If I give land use permission to my local snowmobile club, do I get Liability Insurance Coverage?

Yes. By signing the official SSA Land Use Permission Form, you automatically become an Additional Named Insured under the SSA's \$5 million Commercial General Liability Insurance Policy. This covers landowners for liability arising from the use, operation, or maintenance of the designated trail right-of-way, during the permitted season and in accordance with the agreement. Coverage does not extend to unauthorized or off-trail use, or to activities outside the scope of the trail agreement.

Is there a reason I should sign the Land Use Permission Form?

Yes. This form has been developed in cooperation with our Insurance Company to ensure that it complies with all the terms and conditions of the SSA Third Party Liability Insurance Policy. By signing the official Land Use Permission Form, you express permission for specific land use and become an Additional Insured, which gives the certainty of knowing you are covered in the event of a liability claim resulting from the snowmobile trail on your land. It is recommended that any special considerations be attached to the form as an appendix, initialed by both parties. You may use the Site-Specific Conditions Checklist to document items such as areas to avoid, livestock considerations, maintenance responsibilities, crop protection, and restoration obligations.

Does the local snowmobile club have Third Party Liability Insurance coverage?

Yes. Under *The Snowmobile Act* (20.6), the Trail Manager (Saskatchewan Snowmobile Association) must at all times carry liability insurance prescribed in the Regulations. The Snowmobile Regulations state the following, setting a minimum limit; the SSA program may carry higher limits. Coverage applies to designated trail activities only.

“Insurance Requirements”

6.6(1) For the purposes section 20.6 of the Act the prescribed minimum amount of liability insurance that the Trail Manager must carry is \$3,000,000.

(2) The liability insurance prescribed in section (1) must provide liability insurance coverage for the following persons:

- a) the trail manager
- b) the trail manager’s agents and employees
- c) all landowners or occupiers who consent to the construction of a designated trail on their land.

Is there legislation to protect the landowner from incidents beyond the trail?

Yes. By signing the Land Use Permission Form, you have granted permission for snowmobiles on the recreational trail right-of-way only. Any off-trail riding on private property is considered trespassing unless the rider has obtained permission from the landowner. Under Saskatchewan law, landowners owe only a limited duty to trespassers (not to intentionally harm or act with reckless disregard). For permitted trail users, landowners must avoid deliberate or reckless harm and take reasonable care to warn of or address any unusual hazards they know or ought to know about.

There is legislation in place, contained within *The Snowmobile Act* and *The Trespass to Property Act*, that prohibits entry onto landowners’ and occupiers’ land. Additional environmental, wildlife, agricultural, and municipal laws may also apply; see “Legislation to Be Aware Of” below.

The following are excerpts that explain trespassing and the onus to prove consent, from *The Snowmobile Act*.

“Prohibitions re trespassing”

25(1) No person shall operate a snowmobile over the following land, whether enclosed or not, without the consent of the owner or occupier of the land:

- (a) any privately owned land;

(b) any provincial land as defined in The Provincial Lands Act, 2016 that is the subject of a lease;

(5) In a prosecution for a contravention of subsection (1), the onus is on the person charged to prove that the person had obtained the consent of the owner or occupier of the land.

(6) Nothing in this section limits or affects any rights or remedies of an owner or occupier at common law.

The following are excerpts that explain prohibited entry and occupier liability, from *The Trespass to Property Act*:

“Trespass prohibited”

3(1) Without the consent of the occupier of a premises, no person who is not acting under a right or authority conferred by law shall:

(a) enter in or on the premises when entry is prohibited pursuant to this Act;

“Prohibited entry and activities”

4(1) For the purposes of clause 3(1)(a), entry in or on a premises without the consent of the occupier of the premises is prohibited without any notice.

“Liability of an occupier”

17.1 An occupier owes no duty of care to a person entering onto the premises of the occupier in contravention of this Act except the duty not to:

- (a) create a danger with the deliberate intent of doing harm or damage to the person; and
- (b) do a willful act with reckless disregard of the presence of the person.

Is there other legislation I should be aware of?

Yes. In addition to *The Snowmobile Act* and *The Snowmobile Regulations*, landowners and clubs should be aware of: *The Trespass to Property Act*; *The Environmental Management and Protection Act* (e.g., watercourse crossings, pollution, waste); *The Wildlife Act*; *The Agricultural Operations Act*; any applicable provisions of *The Provincial Lands Act, 2016* (if Crown or leased lands are involved); local Rural Municipality (RM) bylaws; and any applicable federal laws (e.g., requirements touching Indigenous lands or federally protected species/habitats). Always check with your RM or the appropriate authority if in doubt. For certainty, SSA clubs plan routes and activities to respect ongoing agricultural operations and avoid interference with normally accepted farm practices, in alignment with *The Agricultural Operations Act*. While wildfire risk is typically low during the snow season, SSA and its clubs will follow applicable wildfire precautions for any off-season or dry-period work (e.g., signage, trail preparation, equipment use).

What are my rights and duties as a landowner?

You retain full control of your land. You may set reasonable conditions on access (e.g., areas to avoid, gate protocols, maintenance and restoration requirements) and may revoke permission with written notice as set out in the agreement. You owe no duty of care to trespassers other than not to cause intentional harm or act with reckless disregard. For those using the trail, you must not create deliberate hazards and should use reasonable care with respect to unusual dangers you know or ought to know about. Please contact the club about any changes that affect the trail right-of-way or access.

When I give land use permission to my local snowmobile club, can anything be done to stop others from using this trail?

Yes. The land use permission you give to your local snowmobile club is for winter use only as a snowmobile trail for snowmobiles that are legally plated and registered with SGI or for out-of-province or out-of-country snowmobiles that are plated and registered where they reside. No other trail users are allowed to use this trail or any other part of your property at any time of the year without your specific permission. Your local club is responsible for maintaining the trail regularly during the winter and for opening at the beginning of the season and closing at the end of the season any applicable, existing gates/barriers, etc., as specified by you. The club will collaborate with you on appropriate signage and access controls. Any unauthorized users are trespassing and should be reported to the relevant authorities for enforcement action.

Can I receive prior approval that my land will be used in accordance with my wishes?

Yes. Before signing the Land Use Permission Form, talk to your club contact about any special needs, concerns, or considerations you may have.

It is strongly recommended that the landowner and the club contact walk the proposed trail site together, specifying the exact layout, permitted width and signage requirements, as well as such diverse items as noting work to be/not to be allowed, listing gates and fences that need attention, designating fields that need to be staked, crops that need protection and agreeing on methods for water crossings. If you are planning to do any winter work that might impact the snowmobile trail, this is also a good time to discuss it. These items should be placed on a site map and/or in writing and attached to the Land Use Permission Form as an appendix, initialed by both parties. Use the Site-Specific Conditions Checklist to ensure nothing is missed and consult on any environmentally sensitive areas or agricultural operations that may require special timing, mitigation, or permits.

Is there any remedy for satisfaction if I am dissatisfied later on?

Yes. Should you have any concerns throughout the snowmobiling season, we urge you to contact your club representative immediately and advise him/her of the exact details of the matter. Often, small irritations, when left to fester, can grow into larger difficulties that could have been easily resolved with an initial phone call. If necessary, you can contact the club to explain your problem. Provide details in writing (email is fine) so actions can be tracked, and remember you may modify conditions or revoke permission in accordance with your agreement.

Will I benefit from the winter use of my land?

Yes. You are ensuring that snowmobilers have a safe location to ride and are contributing to the winter tourism industry in your community. Winter tourism is important for the viability of businesses in many communities during the winter months. Your local snowmobile club depends on volunteers and community support to help cover a portion of the operating costs for the snowmobile trails in your community. This community involvement helps to bring communities together during the winter months and gives a sense of “ownership” and a feeling of community pride!

How is my personal and land information used and protected?

Information collected by SSA or the club (e.g., contact details, site maps, conditions) is used only for trail planning and maintenance, insurance, and safety/emergency purposes. It should be limited to what is reasonably necessary, kept secure, and retained only as needed. Clubs will comply with applicable privacy laws and share information only with those who require it for authorized purposes.

Site-Specific Conditions Checklist For Discussion

- Trail route, width, staking, and start/close dates agreed and mapped
- Areas to avoid, livestock and gate/fence protocols, yard sites, buildings identified
- Watercourse/wetland crossings and any required permits/approvals addressed
- Access controls (gates/barriers) opening/closing responsibilities assigned
- Emergency/after-hours contacts exchanged
- Procedure for reporting issues and timeline for resolution agreed
- Revocation/change-of-terms notice method and address confirmed

Snowmobile Club Name

Main Club Contact for Landowner Communication

Phone

Email



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