

# Landowner Rights and Trail User Responsibilities

Most of the Waskahegan Trail crosses private land, thanks to the uncompensated generosity of over one hundred landowners. It is essential that trail users understand and honour the terms of trail use. It's also important that landowners be informed of their rights as they pertain to the trail and its users.

## Trail user responsibilities

Landowners allow the Waskahegan Trail to cross their land with the understanding that all users will adhere to the following terms of trail use.

### Trail users **must**:

- stay on the marked trail.
- use stiles to cross over fences (not gates).
- see that all children under 12 are closely supervised by an adult.
- **leave a landowner's property immediately upon being told to do so.**
- **accept full responsibility for any injury they might incur, however caused.**

### Trail users also **accept**:

- that pets are not allowed.
- that landowners may intercept and question them.
- that landowners may require them to leave immediately *for any reason*.
- that landowners may use the trail on their property without being subject to these terms, and they may extend permission to others to do the same. For example, a neighbour might have permission to drive an off-road vehicle along that portion of the trail. This in no way implies that any trail user may do so.

### Trail users **may**:

- hike along the trail.
- snowshoe or cross-country ski along the trail (where practical).
- enjoy the beauty of Alberta's countryside thanks to the generosity of the landowners.

**Landowners have the right to close the trail on their land at any time for any reason. As a trail user, do your part to honour their generosity by adhering to these terms of trail use.**

## Landowner rights

### *Limited landowner liability in the case of injury of a trail user*

Alberta law specifically limits the liability of landowners who allow uncompensated recreational use of their property: **a landowner's liability for a Waskahegan Trail user of their land is no different than for a common trespasser.** (See <https://www.canlii.org/en/ab/laws/stat/rsa-2000-c-o-4/latest/>, under Recreational Users Section 6.1.)

### *Right to control access*

Allowing a portion of the Waskahegan Trail on private property in no way compromises the landowner's right to control who is present on their land. **Landowners are free to stop and question trail users on their property and to demand that they leave immediately for any reason.** A landowner does not have to demonstrate that a trail user was violating the terms of trail use.

Landowners may inform the Waskahegan Trail Association of additional restrictions on trail use. Examples include requiring advance notice of a guided hike or trail maintenance, and placing restrictions on parking at a trailhead. **And landowners may choose to close the trail on their land at any time for any reason.**

### *Right to unrestricted use of their property, including on the trail*

Landowners retain the right to use their property as they see fit, including along the trail. They may use the trail on their property in ways not allowed to ordinary trail users, and they may extend permission to others to do the same. For example, landowners may allow a neighbour to drive an off-road vehicle along their portion of the trail. This in no way implies that any trail user may do so.