



## TERMS & CONDITIONS

The applicant acknowledges that the applicant has read, understood and agrees to the following Terms and Conditions whether or not the applicant has provided his / her signature:

1. By using the trail system, the purchaser agrees to save harmless and keep indemnified any landowners from which the OFSC's trail system operates, and the OFSC, its volunteers, members, directors, officers, employees and their respective agents, officials, servants, and representatives from and against all claims, actions, costs and expenses and demands in respect of death, injury, loss or damage to my person or property of any driver or passenger operating the aforementioned permitted snowmobile, howsoever caused, arising out of or in connection with the use of the OFSC trail system, notwithstanding that the same may have been contributed to or occasioned by the negligence of said bodies, or any of them, their agents, officials, servants, or representatives. It is further understood and agreed that this agreement is binding upon myself, my heirs, executors, administrators, and assigns.
  2. The vendor snowmobile club or the OFSC may deny the permit purchaser or the snowmobile driver access to the OFSC trails if either fails to comply with any OFSC Terms and Conditions or Bylaws.
  3. The applicant identified on the Application for Trail Permit shall ensure that all operators and passengers of the snowmobile to which the permit is affixed are made aware of these conditions before accessing an OFSC trail.
  4. Stop when requested to do so. Report all damage to property to the nearest snowmobile club and police officer. Know and adhere to the Snowmobilers Code of Ethics.
  5. If the Trail Permit is lost, stolen or damaged and needs to be replaced, contact the vendor snowmobile club. You must present the original trail permit receipt along with the original permit, or portion thereof, if available. Additional information pertaining to a police report (incident # if available) for stolen or lost permits may be required.
- A. Where a person has accessed OFSC Benefits and Offers, report a change of address within 6 days to the Ontario Federation of Snowmobile Clubs, 9-501 Welham Rd., Barrie, Ontario L4N 8Z6. Telephone: (705) 739-7669, Fax: (705) 739-5005, Email Address: [permits@ofsc.on.ca](mailto:permits@ofsc.on.ca), Website: [www.ofsc.on.ca](http://www.ofsc.on.ca).

### **ASSUMPTION OF RISKS**

Snowmobiling is an inherently risky off-road activity that occurs in an unpredictable natural environment, so every rider enters OFSC Prescribed trails at their own risk. Snowmobilers must know the "Assumptions for OFSC Trail Use" listed below prior to using an OFSC Trail:

1. All snowmobiles will be operated under a lawful trail use permit;
2. All operators and passengers willingly use the trails at their own risk;
3. Operators and passengers know and will obey the law, including, *The Occupiers' Liability Act, The Motorized Snow Vehicles Act* and the *Trespass to Property Act*;
4. It is recognized and accepted that snowmobiling is essentially an off-road activity taking place in the natural environment;
5. The OFSC is a volunteer-based organization with finite resources and manpower;
6. It is not practical, possible or desirable to maintain all trails uniformly or to remove all potential hazards;
7. The OFSC is providing the privilege of trail access without any guarantee of service or quality;
8. Operators and passengers will not consume alcohol prior to or while using the trails;
9. Operators and passengers will be prudent and responsible and shall ensure that snowmobiles are operated with appropriate care and control at all times;
10. Operators and passengers know how to snowmobile competently and understand that the operation of snowmobiles requires full cognitive abilities;
11. Weather conditions affect trails and snowmobile operation and they may change without warning;
12. The maximum speed on trails is 50 km/h unless reduced by law or conditions;
13. There may be permitted users on the trail other than snowmobilers;
14. Operators will stay to the right of the trail notwithstanding that there are no centre lines;
15. Operators know that there may be grooming or other maintenance activities under way at any time of the day or night which may take up the whole or any part of the trail and have the right of way;
16. Operators and passengers know that snowmobile trails are not engineered highways;
17. All operators and passengers know and will adhere to the principles published as the Safe Riders Pledge by the *International Snowmobile Manufacturers' Association*;
18. Operators and passengers are aware that emergency and cell phone service may not be available;
19. Operators and passengers are aware that there are generally no legal requirements for signage on trails and, when provided, it is only for assistance and convenience;
20. Operators and passengers know that snowmobiling on OFSC trails is regarded as a family-oriented activity;
21. Operators and passengers know the unique and particular dangers of ice crossing;
22. The grooming and maintenance of trails, when provided, is meant solely to enhance the comfort and enjoyment of the safe and prudent operators and passengers;
23. Operators and passengers will dress appropriately for all conditions and will have appropriate safety and emergency equipment at all times.

The applicant understands that they are not required to complete the OFSC form in order to get a Trail Permit but to access applicable OFSC Benefits and Offers, including a subscription to a member magazine for seasonal permit purchasers, all sections must be completed.