

To: Land Owners  
From: Pete Petri  
Date: January 1, 2009



Dear Land Owners,

The Stateline Sno-Trackers LLC. Would like to thank all of the landowners across our area that is gracious enough to allow marked snowmobile trails to cross their property. Obviously without your generosity there would be no NE Ohio / NW PA trail system for our members to enjoy. It is our intent to maintain contact with the landowners who allow access, to show respect for their property, to carry in/carry out and abide by any and all private landowners wishes and special needs concerning recreational access. Our club members express their thanks to the landowners individually, with landowner dinners, thank you notes and public advertisement of their appreciation - consider this note a thank you from all of the Stateline Sno-Tracker members who ride trails throughout this area. If you should encounter any problems or concerns with existing snowmobile trails on your property and do not have current contact information, please feel free to call me directly on my cell: (440-813-2606) or email me . We will be happy to assist you with any needed repairs, rerouting, or additional signage of trails. You may also want to read the Ohio Landowner Liability Law or the PA Landowner Liability Law. Both of which protects landowners who allow recreational access from liability for injury to users. More information will be posted on this page at a later date.

Sincerely,

*Pete Petri*

President  
Stateline Sno-Trackers  
**Mobile/Text:** 440.813.2606  
**Fax:** 440.594.1560  
**Email:** [pete@sno-trackers.org](mailto:pete@sno-trackers.org)  
**Mobile Email:** [4408132606@vtext.com](mailto:4408132606@vtext.com)  
**Yahoo Messenger ID:** pete.petri  
**Web:** [www.sno-trackers.org](http://www.sno-trackers.org)

## MISSION STATEMENT

Our Mission is to promote safe and enjoyable snowmobiling and further education of the sport. By recognizing that others will judge all snowmobilers by our actions, we will use our influence with other snowmobilers to promote sportsman like conduct. This means respecting other winter sportspersons rights to enjoy their recreational activities. We will know and obey all state and local laws regulating snowmobiling in areas we ride. Most importantly, we will protect and respect other people's property and rights. The use of our trails is a privilege, not a right. We also participate in community events and fundraisers each year, making contributions to many worthwhile organizations and individuals in need.



Stateline Sno-Trackers, Inc.  
[www.sno-trackers.org](http://www.sno-trackers.org)

# CONTACT LIST



## Executives

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## RECREATION USE OF LAND AND WATER ACT

Ohio & Pennsylvania's Recreation Use of Land and Water Act were created in 1961 & 1966 to generate additional recreational areas for the public. The Act encourages property owners to open their lands for recreational purposes by immunizing them from negligence liability.

When the Recreation Act is applicable, it protects:

- landowners from negligence
- liability for injuries suffered by people using the land for recreational purposes.

**Please review the following pages to familiarize yourself with the laws and our organization.**



# LANDOWNER LIABILITY ACT OF PENNSYLVANIA

No. 586, HB 1005, signed into law Feb. 2, 1966

Encouraging landowners to make land and water areas available to the public for recreational purposes by limiting liability in connection therewith, and repealing certain acts.



The General Assembly hereby enacts as follows:

Section 1. The purpose of this act is to encourage owners of land to make land and water areas available to the public for recreational purposes by limiting their liability toward persons entering thereon for such purposes.

Section 2. As used in this act:

- (1) "Land" means land, roads, water, watercourses, private ways and buildings, structures and machinery or equipment when attached to the realty.
- (2) "Owner" means the possessor of a fee interest, a tenant, lessee, occupant or person in control of the premises.
- (3) "Recreational purpose" includes, but is not limited to, any of the following, or any combination thereof: hunting, fishing, swimming, boating, camping, picnicking, hiking, pleasure driving, nature study, water skiing, water sports, snowmobiling, cave exploration **1**, and viewing or enjoying historical, archaeological, scenic, or scientific sites.
- (4) "Charge" means the admission price or fee asked in return for invitation or permission to enter or go upon the land.

Section 3. Except as specifically recognized or provided in section 6 of this act, an owner of land owes no duty of care to keep the premises safe for entry or use by others for recreational purposes, or to give any warning of a dangerous condition, use, structure, or activity on such premises to persons entering for such purposes.

Section 4. Except as specifically recognized by or provided in section 6 of this act, an owner of land who either directly or indirectly invites or permits without charge any person to use such property for recreational purposes does not thereby:

- (1) Extend any assurance that the premises are safe for any purpose.
- (2) Confer upon such person the legal status of an invitee or licensee to whom a duty of care is owed.
- (3) Assume responsibility for or incur liability for any injury to persons or property caused by an act of omission of such persons.

Section 5. Unless otherwise agreed in writing, the provisions of sections 3 and 4 of this act shall be deemed applicable to the duties and liability of an owner of land leased to the State or any subdivision thereof for recreational purposes.

Section 6. Nothing in this act limits in any way any liability which otherwise exists:

- (1) For injury suffered in any case where the owner of land charges the person or persons who enter or go on the land for recreational use thereof, except that in the case of land leased to the State of a subdivision thereof, any consideration received by the owner for such lease shall not be deemed a charge within the meaning of its section.

Approved - The 2nd day of February, A.D. 1966  
William W. Scranton

**1** The words "Cave Exploration" were added to this act by the act of 1992-10, signed by Gov. Robert P. Casey on March 26, 1992. Cave exploration became a covered activity on May 26, 1992.

# LANDOWNER LIABILITY ACT OF OHIO

No. 124, HB 286, signed into law Feb. 2, 1961, Updated 2001-02

As Reported by the House Civil and Commercial Law Committee

124th General Assembly Regular Session H. B. No. 286 2001-2002

REPRESENTATIVES Distel, Latell, Key, Reinhard, Britton, Hollister, Jerse, Boccieri, Rhine, Krupinski, Coates, Allen, Seitz, Grendell, Manning, Beatty, Core



## ABILL

To amend section 1533.18 of the Revised Code to specify that the operation of a snowmobile or all-purpose vehicle is a recreational activity subject to landowner's immunity from liability for a recreational user's injuries.

### BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

**Section 1.** That section 1533.18 of the Revised Code be amended to read as follows:

**Sec. 1533.18.** As used in sections 1533.18 and 1533.181 of the Revised Code:

(A) "Premises" means all privately-owned lands, ways, and waters, and any buildings and structures thereon, and all state-owned lands, ways, and waters leased to a private person, firm, or organization, or corporation, including any buildings and structures thereon.

(B) "Recreational user" means a person to whom permission has been granted, without the payment of a fee or consideration to the owner, lessee, or occupant of premises, other than a fee or consideration paid to the state or any agency thereof, to enter

upon premises to hunt, fish, trap, camp, hike, swim, operate a snowmobile or all-purpose vehicle, or engage in other recreational pursuits.

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(C) "All-purpose vehicle" has the same meaning as in section 4519.01 of the Revised Code.

**Section 2.** That existing section 1533.18 of the Revised Code is hereby repealed.

H. B. No. 286 Page 2

As Reported by the House Civil and Commercial Law Committee

# MEMORANDUM OF UNDERSTANDING



On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, I the undersigned, owner, occupier of the premises located at \_\_\_\_\_, in the county of \_\_\_\_\_, hereby give the Stateline Sno-Trackers, herein referred to as the SLST, permission to legally enter, establish, groom, maintain, sign and warden that portion of the premises herein designated (hereinafter referred to as the designated premises) by me for the exclusive purpose of allowing individual trail permit members of the SLST to use said designated premises for snowmobiling under the following terms and condition:

The SLST shall provide liability insurance of no less than One point Five million dollars (\$1,500,000.00) per occurrence to cover land uses specified herein by the SLST individual trail permit members on the designated premises, which coverage is confined to the undersigned owner/occupier by signing this Memorandum of Understanding on the condition that no fee has been charged by the owner/occupier for use of the designated premises.

A certificate of liability insurance will be provided at the request of the owner/occupier. The SLST shall indemnify and save harmless the owner/occupier from any and all claims against the owner/occupier resulting from the use of the premises as a snowmobile trail.

The owner/occupier hereby grants permission to the SLST to use the designated premises and granted use is restricted to that of a snowmobile trail only. No ATV's will be allowed on said property unless utilized for club maintenance.

The owner/occupier hereby grants permission to the SLST to enter the designated premises for the purposes of opening, closing, maintaining and wardening the snowmobile trail.

The SLST will take all necessary steps to ensure proper signage is placed on the trail and at any intersection of the trail and any road. Said signage will be removed at the end of the season. The owner/occupier may request SLST to provide barriers or gates to keep trespassers out during the off season.

The SLST will ensure that any damage to the trail or to the designated premises is repaired within a reasonable time.

The parties agree that this memorandum of understanding may be terminated by either of the parties upon the party terminating the memorandum of understanding providing sixty (60) days written notice to the other party at the address below. Upon termination, the SLST shall remove all signs and property of the SLST from the designated premises and return the designated premises to its original condition, reasonable wear and tear excepted.

The SLST executive and trail wardens are hereby authorized to be the undersigned owner / occupier's agent(s) to supervise and enforce the uses defined hereunder with respect to the designated premises in accordance with the Real Property Act, Occupiers Liability Act, and the Off-Highway Vehicle Act.

## LANDOWNER INFORMATION

Contact \_\_\_\_\_

Owner/Occupier \_\_\_\_\_

Address Po Box 37, \_\_\_\_\_

Address \_\_\_\_\_

Conneaut, Ohio 44030 \_\_\_\_\_

\_\_\_\_\_

Telephone \_\_\_\_\_

Telephone \_\_\_\_\_

Exec. Signature: \_\_\_\_\_

Signature \_\_\_\_\_

VP Signature \_\_\_\_\_

Date \_\_\_\_\_

Secretary Signature \_\_\_\_\_

Date of motion \_\_\_\_\_