



VOYAGEUR TRAIL NEWS

PUBLISHED BY THE VOYAGEUR TRAIL ASSOCIATION, A MEMBER OF F.O.H.T.A.

BOX 66, SAULT STE. MARIE, ONTARIO P6A 5L2

No. 22

Editor: Ken Johnson

Autumn, 1982



TOM ALLINSON - HIKING THE PUKASKWA.

Editorial

September 1982

Hello Voyageur Trail Association members and landowners receiving the V.T.A. News! I have not had the pleasure of meeting most of you, so I would like to introduce myself and set out some of my thoughts on the trail.

First of all, on behalf of the volunteer staff of the V.T.A News, the V.T.A. membership and myself, a big heartfelt thank you to Lori Armstrong for her efforts as editor of this newsletter from December 1980 until April 1982. Your editions were informative and enjoyable reading.

Secondly, thanks to all the members who have come before me -- your efforts have sustained the trail through the formative years. Although I have walked only perhaps 20 of the 260 odd kilometers of trail presently constructed, I can say with conviction that your labour has been paid off many times over.

Finally, to all the new members, let's keep the ball rolling. There are some 750 km of trail to go to make a continuous trail to the Lakehead. Such a massive project will likely require more than one generation of volunteers to complete, so let's give a little extra effort now so that we will be ready to carry on when the founding members find their tasks too onerous. In the Spring 1982 edition of the Bruce Trail News, Isabel East, one of the founding members of that club identified the "relaxation of voluntary effort" as the primary threat to the continued existence of long hiking trails in Ontario. We can meet the challenge and overcome it, so let's do it.

KJ:1a

KEN JOHNSON

Dear Lorie:

Noted the write up on our great, new 3,246 mile North Country (National Scenic) Trail, in your newsletter. Thank you for mentioning the NCT.

Perhaps you might want to let the VTA members know they can obtain information on the NCT by writing to: North Country Trail Assn., P.O. Box 311, White Cloud, Michigan 49349. Have your members enclose one dollar (Canadian or U.S.) to cover cost of information packet and postage, please.

Also, the VTA might want to contemplate connecting with the NCT at some feasible point. It's a thought to ponder.

The very best,

"Lance"
Lance Feild
President
NORTH COUNTRY TRAIL ASSOCIATION

Editor's Note:

Correspondence of interest to Voyageur Trail Association members will be printed in this column. Please forward to V.T.A. News, Box 66, Sault Ste. Marie, Ontario, P6A 5L2.

NOTICE

Voyageur Trail Association

Annual General Meeting

Saturday, November 20, 1982

at Algoma University College
1520 Queen Street East
Sault Ste. Marie, Ontario

Board of Directors 10:00 a.m.

Annual Meeting 2:30 p.m.

NOTICE

According to the recent ballot, the Membership Year has been changed to the Calendar Year - January 1 to December 31. The cutoff date is September 1, with members joining after that date being awarded full membership until the end of December of the following year. Accordingly, your membership renewal will be due January 1, 1983.

-- Ian Morrison, Secretary

LATE ANNOUNCEMENT

Ray Bonenberg, Supt. Lake Superior Prov. Park

Will speak at the annual V.T.A. meeting



FEDERATION OF ONTARIO HIKING TRAIL ASSOCIATIONS,
Box 422, Cambridge, Ontario N1R 5V5

FOHTA OUTLOOK

Vol. 3, No. 2

Summer 1982

Editor: Jean White

NEW LIABILITY AND TRESPASS ACTS CHANGING RELATIONSHIPS BETWEEN LANDOWNERS AND PERSONS ENTERING THEIR LANDS

(Excerpts from the Spring 1982 edition of CUESTA — Niagara Escarpment Commission Publication)

Two recent Ontario laws — The Occupiers' Liability Act and The Trespass To Property Act — were enacted in late 1980, after months of discussion with landowners and various recreational groups, including the Bruce Trail Association.

The following are some highlights of both Acts:

THE OCCUPIERS' LIABILITY ACT

Basic Duty

The basic duty of occupiers in the new Act is that an occupier (owner or tenant) owes a duty to take such care as is reasonable to see that persons entering the premises, and the property brought on the premises by those persons, are safe.

If an occupier fails to take reasonable care, the law imposes civil liability for any injury that may result.

While the new law recognizes a basic duty of occupiers to provide reasonably safe premises, it also recognizes that entrants may freely choose to assume risks by taking the environment as they find it.

While the Occupiers' Liability Act establishes a basic duty of care, it also recognizes that this should not extend to the following type of entrants:

1. **Entrant Who Willingly Assumes Risk.**
2. **Entrant for Criminal Purposes.**
3. **Non-Paying Recreational Entrants.**
4. **Others** — in general, all entrants who do not pay a fee for entry assume their own risks. Also included in the class of persons deemed by law to assume their own risk on rural land are trespassers where entry is prohibited under the Trespass to Property Act and entrants who are neither prohibited nor expressly permitted to enter or use the land.

THE TRESPASS TO PROPERTY ACT

This new Act is designed to give owners greater control over the use of their property and to increase fines for trespassing.

The Act provides that every person who is not acting under a right or authority conferred by law and who, without the express permission of the occupier, the proof of which rests on the defendant,

- enters on premises when entry is prohibited under this Act; or
- engages in an activity on premises when the activity is prohibited under this Act; or
- does not leave the premises immediately after he is directed to do so by the occupier of the premises or a person authorized by the occupier.

is guilty of an offence, and upon conviction is liable to a fine of not more than \$1,000.

The Act also deals with the type of property protected, compensation for damages incurred, costs in prosecuting and

the entitlement of the occupier to authorize any person to enforce the arrest procedures, where necessary. The owner of rural land permitting a trail association to establish a limited-use recreational trail over his land may wish to authorize members of the association to exercise his powers as occupiers under the Act.

An arrest is a grave imposition on another's liberty and should only be attempted if other options prove ineffective.

The new legislation also creates a colour marking system to permit occupiers to give notice of their intentions; i.e., red markings mean that any entry is prohibited and yellow markings mean that entry is prohibited except for certain activities. In addition, the new legislation recognizes the need for a symbol code to give legal meaning to signs. A sign naming an activity, or showing a graphic representation of an activity, gives notice that the activity is permitted or prohibited.

Further information on the variety of signs available, or on acquiring copies of the new legislation may be obtained by writing:

Communications Officer,
Ministry of the Attorney General,
18th Floor,
18 King Street East,
TORONTO, Ontario M5C 1C5.

HIKE ONTARIO!

The Ontario Hiking Day will be held on Sunday, October 3, 1982. A promotional campaign will be conducted by the Ontario Hiking Day Coordinator, Doug Paton, on behalf of FOHTA. Local clubs are suggested to contact their radio stations, etc., for publicity in your area.

FOHTA MERIT AWARD

During the planning for the 1980 Hike Ontario Conference, it was proposed that an award be made to someone deemed to have contributed the most to hiking in Ontario in recent years. A judging committee was formed and nominations were solicited by FOHTA from the membership of each FOHTA member association, to be accompanied by supporting information as to why the nominee should be selected for this honour. From the several nominations received, the award, in the form of a black walnut carving of a hiker, was presented to Douglas J. Knapp, Kingston, Ontario. Among his many other contributions to hiking, Doug is the Past-President of FOHTA and the founder of the Rideau Trail Association.

Following this initial presentation, FOHTA Directors agreed to present, on an annual basis where warranted, an