

RURAL MUNICIPALITY OF TURTLE RIVER NO. 469

BYLAW NO 11-2018

A BYLAW TO PREVENT AND CONTROL CLUBROOT

The Council of the Rural Municipality of Turtle River No. 469 in the Province of Saskatchewan enacts as follows:

1. This Bylaw may be referenced as the “Clubroot Bylaw”
2. In this Bylaw:
 - a. “officer” means an officer within the meaning of *The Pest Control Act*;
 - b. Owner and occupant are as defined in *The Municipalities Act*,
 - c. “Municipality” means the Rural Municipality of Turtle River No. 469.
3. Unless otherwise specified, the owner(s) and/or occupant(s) of land situated in the Municipality shall be responsible for carrying out the provisions of this Bylaw.
4. Every owner(s) and/or occupant(s) of any land in the Municipality shall notify the Municipality in which the land is located of the presence of clubroot, within 30 days of becoming aware of the same.
5. Notification of the presence of clubroot shall be in writing (email or postal mail) and submitted to the office of the Rural Municipality of Turtle River No.469.
6. Where the officer believes that a person has contravened any provision of this Bylaw, a Bylaw Violation Notice may be served either personally or by mailing or leaving same at the last known address.
7. The Bylaw Violation Notice shall be in Schedule “1”, attached to and forming part of this Bylaw.
8. The Bylaw Violate Notice shall be deemed to have been served:
 - a. on the expiration of twenty-four (24) hours after it is posted, if the notice is mailed;
 - b. on the day of actual delivery, if the notice is served personally; or
 - c. on the business day following the transmission, if given by facsimile and/or email.
9. In lieu of prosecution, the person who has contravened the provisions of this Bylaw shall pay a fine in the amount \$500.00 of which shall be indicated on the Bylaw Violation Notice.
10. Every owner(s) and/or occupant(s) of any land where clubroot has been identified through notification within the Municipality shall take measures to manage and prevent the spread of clubroot.
11. As required by the officer, the owner(s) and/or occupant(s) of any clubroot infested land shall develop a Clubroot Management Agreement with the assistance of an agrologist currently practicing with the Saskatchewan Institute of Agrologists.
12. The owner(s) and/or occupant(s) of any clubroot infested land within the Municipality shall provide the officer with the Clubroot Management Agreement within 30 business days. The officer will ensure that the Clubroot Management Agreement meets the minimum requirements of *The Saskatchewan Clubroot*

Management Plan and will execute the agreement with the owner(s) and/or occupant(s).

13. When a formal agreement between the owner(s) and/or occupant(s) and the officer cannot be reached, the officer shall write an order as per Section 19 of *The Pest Control Act*.

Reeve

[SEAL]

Administrator

RURAL MUNICIPALITY OF TURTLE RIVER NO. 469

SCHEDULE 1 TO BYLAW NO 11-2018

BYLAW VIOLATION NOTICE

Name: _____

Address: _____

This official notice is issued for alleged breach of the following bylaw:

Bylaw No. 11-2018

Section #: _____

Offence: _____

Voluntary Payment: _____

DETAILS OF ALLEGED BREACH OF VIOLATION

Date and time of violation: _____

Location of violation: _____

PENALTY

Take notice that you may remit a voluntary payment to the Municipality in the amount stipulated above to avoid prosecution for this offence.

Payment may be made in person at the municipal office or by mail:

**Rural Municipality of Turtle River No. 469
1017 Main Street
Box 128 Edam, SK S0M 0V0.**

If the voluntary payment indicated above is not received by _____, a summons requiring your appearance in provincial court will be issued.

Issued this _____ day of _____, 20__

by : _____.

Signature of Officer