

## RURAL MUNICIPALITY OF MOOSE CREEK NO. 33

### BYLAW NO. 04-2018

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#### A BYLAW TO PREVENT AND CONTROL CLUBROOT

The Council of the Rural Municipality of Moose Creek No. 33 in the Province of Saskatchewan, enacts as follows:

1. This bylaw may be referred to as the "Clubroot Bylaw".
2. The purpose of this Bylaw is to establish the requirements for clubroot reporting, notification and management.
3. *The Pest Control Act* authorizes municipalities and officers to act in relation to clubroot.
  - a) Section 4 of *The Pest Control Act* states that "every person shall take measures to destroy, control and prevent the spread of all pests on any land or other premises owned, occupied or controlled by him"
4. In this bylaw:
  - a) "Officer" shall mean an officer within the meaning of *The Pest Control Act*;
  - b) "Owner" and "Occupant" as defined in *The Municipalities Act*
  - c) "Municipality" shall mean the Rural Municipality of Moose Creek No. 33
5. 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 business days of becoming aware of the same.
6. Notification of the presence of clubroot shall be in writing and submitted to the office of the Rural Municipality of Moose Creek No. 33
7. Where the officer believes that a person has contravened any provision of this Bylaw, a Bylaw Violation Notice, Schedule "A" shall be served either personally or by mail.
8. The Bylaw Violation Notice shall be deemed to have been served:
  - a) On the expiration of 24 hours after it is posted, if the notice is mailed; or
  - b) On the day of actual delivery, if the notice is served personally
9. Every owner(s) and/or occupant(s) of any land where clubroot has been identified through notification within the Municipality, shall:
  - a) take measures to manage and prevent the spread of clubroot
  - b) develop a Clubroot Management Agreement with the assistance of an agrologist currently practicing with the Saskatchewan Institute of Agrologists and provide the officer with a copy of the agreement within 30 business days of notification.
  - c) 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

10. In Lieu of prosecution, the person who has contravened the provisions of this Bylaw, a voluntary payment up to the amount of \$500.00 may be requested, and shall be indicated on the Bylaw Violation Notice.
11. When a formal agreement between the owner(s) and/or occupant(s) and the officer cannot be reached, the officer shall issue an order as per Section 19 of *The Pest Control Act*



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Reeve

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Chief Administrative Officer

Read a third time and adopted  
this 8<sup>th</sup> day of August, 2018

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Chief Administrative Officer