

CITY OF SPRUCE GROVE

BYLAW C-408-01

WEED BYLAW

Being a Bylaw of the City of Spruce Grove in the Province of Alberta to control Weeds.

WHEREAS, pursuant to the Weed Control Act, RSA, 1980, c. W-6 as amended, a municipality may make Bylaws designating plants within the municipality as restricted, noxious or nuisance weeds, and

WHEREAS, The Municipal Council of the City of Spruce Grove deems it appropriate and in the community interest to control restricted, noxious and nuisance weeds within the City of Spruce Grove,

NOW THEREFORE, The Municipal Council of the City of Spruce Grove, duly assembled hereby enacts as follows:

**Section 1 Definitions**

- 1.1 "Act" means the Weed Control Act. RSA, 1980, c. W-6, as amended.
- 1.2 "Weed" means those plants listed in Alberta Weed Designation Regulation 138/80 as amended, as either restricted, noxious or nuisance weeds.
- 1.3 "Weed Control Inspector" means an inspector appointed in accordance with Section 5 of the Act,
- 1.4 "Occupant of Land" means the owner of any lot or parcel of land within the City of Spruce Grove whether or not a dwelling place is present on the land. For the purposes of this Bylaw and the Act the "Occupant of Land" shall be deemed to be the occupant of that portion of any Highway within the City and subject to the direction, management and control of the Municipal Council of the City of Spruce Grove and which adjoins his or her land and lies between the boundary of his or her land and the middle line of the highway.

**Section 2 Duties and Compliance**

- 2.1 The Manager of Administrative Services is hereby delegated the authority to appoint sufficient numbers of Weed Control Inspectors to carry out the provisions of this Bylaw and the Act.
- 2.2 An occupant of land shall as often as is necessary:
  - 2.2.1. destroy all restricted weeds located on the land to prevent the spread, growth, ripening or scattering of restricted weeds,
  - 2.2.2 control in accordance with the Act and regulations all noxious weeds located on the land and to prevent the spread, growth, ripening or scattering of the noxious weeds, and
  - 2.2.3 prevent the spread or scattering of nuisance weeds.
- 2.3 A Weed Control Inspector who finds any restricted or noxious weeds on any land shall give notice in writing to the Occupant of the Land to destroy the restricted weeds and control the noxious weeds.

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- 2.4 A Weed Control Inspector who finds nuisance weeds in such quantity or proximity to neighbouring property that they may spread or scatter onto that neighbouring property may give notice in writing to the Occupant of the Land to control the nuisance weeds.
- 2.5 A notice in writing under this Bylaw and the Act shall set out the methods for destruction or control of the weeds and shall state a time period within which the action must be carried out.
- 2.6 An Owner or Occupant of Land who receives a notice under this Bylaw or the Act shall, subject to any right of appeal given by this Bylaw and the Act, carry out the directions contained in the notice.
- 2.7 Subject to any right of appeal given by this Bylaw and the Act, if a person fails to comply with a notice given by a Weed Control Inspector, the Weed Control Inspector or a person designated by the Weed Control Inspector may carry out, by any means that is consistent with good agricultural practice, the action that is required to be carried out under the notice.
- 2.8 If expenses are incurred by the City of Spruce Grove carrying out the work required by the notice under Paragraph 2.7 of this Bylaw, recovery of those expenses shall be in accordance with Section 27 of the Act.
- 2.9 The City of Spruce Grove shall assess an Administration Fee to any costs incurred by the City under Paragraph 2.7 of this Bylaw. The Administration Fee shall be equal to Fifty (50%) Percent of the costs incurred by the City and include the applicable Goods and Services Tax (GST) applied to the total amount.

**Section 3 Right of Appeal**

- 3.1 A person who has an interest in land as an Occupant of Land or considers himself aggrieved by a notice given under this Bylaw or the Act may appeal to the City of Spruce Grove under Section 28 of the Act. The Appeal must be accompanied by a deposit as required by the regulations.
- 3.2 The Appeal must be delivered to the Manager of Administrative Services or a person acting in that capacity in the form required by Section 28 of the Act.
- 3.3 The Community Services Advisory Board shall hear and determine Appeals under Section 28 of the Act.

**Section 4 Approval**

- 4.1 This Bylaw comes into effect upon approval of the Minister of Agriculture for the Province of Alberta.



CITY OF SPRUCE GROVE

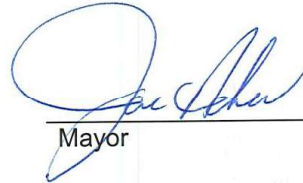
BYLAW C-408-01

WEED BYLAW

First Reading Carried 25 June 2001

Second Reading Carried 25 June 2001

Third Reading Carried 25 June 2001



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Mayor



\_\_\_\_\_  
Manager of Administrative Services



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Minister of Agriculture  
for The Province of Alberta



RECEIVED

JUL 25 2001

CITY OF SPRUCE GROVE

ALBERTA  
DEPUTY PREMIER  
MINISTER OF AGRICULTURE, FOOD AND RURAL DEVELOPMENT

DM01-CD-10453

July 18, 2001

Ms. Diane Goodwin  
Manager of Administrative Services  
The City of Spruce Grove  
315 Jespersen Avenue  
Spruce Grove AB T7X 3E8

Dear Ms. Goodwin:

*Diane*

I would like to thank you for your letter of June 27, 2001 requesting the approval of Bylaw C-408-01.

Please be advised that the bylaw has been found to be in order and is hereby approved. The original copy with my signature is attached.

All the best in your weed control operations.

Yours sincerely,

*Shirley McClellan*

Shirley McClellan  
Deputy Premier and Minister

Attachment

cc: Doug Horner, MLA - Spruce Grove - Sturgeon - St. Albert

*Do I assume this is the copy we put in the bylaw book, Diane?*