



A BYLAW OF THE RURAL MUNICIPALITY OF MCKILLOP NO. 220 TO PREVENT AND CONTROL CLUBROOT WITHIN THE RURAL MUNICIPALITY OF MCKILLOP NO. 220

WHEREAS *The Pest Control Act* authorizes municipalities and officers to act in relation to clubroot, 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”.

THEREFORE, The Council of the Rural Municipality of McKillop No. 220 in the Province of Saskatchewan enacts as follows:

1. This bylaw shall be known as the Clubroot Bylaw.
2. For this bylaw, the expression:
 - a) “administrator” shall mean the administrator of the municipality;
 - b) “council” shall mean the Council of the Rural Municipality of McKillop No. 220;
 - c) “RM” or “municipality” means the Rural Municipality of McKillop No. 220;
 - d) “Officer” means an officer within the meaning of *The Pest Control Act*.
 - e) “Owner” or “Occupant” means as defined in *The Municipalities Act*.
 - f) “Clubroot confirmation” means that clubroot disease symptoms were observed in a susceptible crop.

3. Clubroot Reporting and Notification

3.1. Every owner(s) 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.

3.2. Notification of the presence of clubroot shall be in writing (email or postal mail) and submitted to the office of the RM.

4. Clubroot Management



- 4.1. Every owner(s) and occupant(s) of any land where clubroot has been identified through notification within the Municipality as per Section 3 or by any other means shall take measures to manage and prevent the spread of clubroot.
- 4.2. As required by the officer, the owner(s) and 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 in accordance with Policy No. EH-002-2021.
- 4.3. The owner(s) and 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 occupant(s).
- 4.4. When a formal agreement between the owner(s) and occupant(s) and the officer cannot be reached, the officer shall write an order as per Section 19 of The Pest Control Act.

5. Enforcement and Penalties

- 5.1. Any person who contravenes any provision of this Bylaw is guilty of an offence.
- 5.2. 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.
- 5.3. The Bylaw Violation Notice and voluntary penalties shall be in Schedule "A", attached to and forming part of this Bylaw.
- 5.4. The Bylaw Violation Notice shall be deemed to have been served:
 - 5.4.1. On the expiration of 24 hours after it is posted, if the notice is mailed;
 - 5.4.2. On the day of actual delivery, if the notice is served personally; or
 - 5.4.3. On the business day following the transmission, if given by facsimile.
- 5.5. Notwithstanding Section 5.3 of this Bylaw, in accordance with the General Penalty Bylaw, any person who contravenes any of the provisions of this Bylaw is guilty of an offence and liable on summary conviction to a penalty of not less than \$100 and not more than:
 - 5.5.1. \$2,000 in the case of an individual; and
 - 5.5.2. \$5,000 in the case of a corporation.

6. Coming into Force

- 6.1. This bylaw shall come into force upon the date of final passing by Council.



Reeve

[SEAL]



Administrator

APPROVED

NOTICE OF VIOLATION – SCHEDULE A

Voluntary Penalty Fees

1st Offence - \$250

2nd Offence - \$500



NOTICE OF VIOLATION

No: 0027

Name: _____

Legal Land Desc/Civic Address: _____

Date: _____ Time: _____

License No: _____ Year: _____

Type of Animal: _____

To avoid prosecution for the within mentioned bylaw infraction, you are hereby directed to report to the RM of McKillop No. 220 Municipal Office during the hours of 9:00 am to 4:00 pm, Monday to Friday (except holidays) or mail to Box 220, Bulyea, Saskatchewan S0G 0L0 by: _____ and remit the sum of \$_____ for infraction of RM of McKillop No. 220 Bylaw No. _____, namely that: _____

Failure to appear or remit payment will result in a summons being issued. If payment is made within the above noted time, you will not be liable for prosecution.

Penalty remitted by mail must be accompanied by this tag to the:
RM OF MCKILLOP NO. 220
Box 220, Bulyea, Saskatchewan S0G 0L0
Phone: (306) 725-3230

Issuing Officer

WHITE - Offender YELLOW - Payment PINK - RM Office GOLDENROD - Bylaw Enforcement