

COUNTY OF ST. PAUL NO. 19

Our Mission - To create desirable rural experiences



ASB-15 Weed Control Policy

Department: Agricultural Service Board

POLICY OBJECTIVE:

To prevent and control the establishment and spread of noxious and prohibited noxious weeds through responsible control methods and communication with landowners and other stakeholders, and to assist landowners in understanding and adhering to the *Weed Control Act*.

POLICY STATEMENTS:

1.0 Authority and Responsibility

- 1.1 The Agricultural Service Board (ASB) staff have the responsibility to advise, organize, and direct weed control activities in accordance with the *Weed Control Act*.
- 1.2 In certain defined cases, ASB staff have the authority under the *Agricultural Service Board Act* to subject land to supervision, rehabilitation or reclamation due to the infestation of weeds.
- 1.3 The Agricultural Fieldman and the Assistant Agricultural Fieldman shall be responsible for the enforcement of the *Weed Control Act*.

2.0 Inspections

- 2.1 The County shall appoint an adequate number of inspectors to enforce the *Weed Control Act* and supply the inspectors with identification in the form described in the *Weed Control Regulations*.
- 2.2 Weed inspections shall be carried out from April to October and be conducted by ASB staff.

3.0 Notifications

- 3.1 When a weed infraction is found, reasonable effort will be made to speak directly to, and work with the landowner to control or eradicate the weeds.
- 3.2 An introductory letter may be sent to the landowner or stakeholder with noxious or prohibited noxious weed(s) on their property. This letter will identify the weed(s), the location of the weed(s), the form of control, and the time given to carry out control of

the weed(s). If the introductory letter is not complied with a Weed Notice may be sent to the landowner or stakeholder.

4.0 Enforcement

- 4.1 A Weed Notice shall be issued only after verbal and written communication is made with the landowner or other stakeholder.
- 4.2 The County may move directly to a Weed Notice in accordance with the *Weed Control Act* if an infestation is determined to require immediate action to control the weed(s) in question.
- 4.3 The Weed Notice and the actions it enforces will follow the information set out in the *Weed Control Act* and the *Weed Control Regulations*. The actions may include chemical, mechanical, biological, cultural control methods, or a combination of these measures.
- 4.4 If actions to control or eradicate noxious or prohibited noxious weeds are necessary and the work is not completed by the landowner or stakeholder in the time prescribed in the Weed Notice, the County may carry out the work using its own forces or contract the work to a qualified private contractor.
- 4.5 Payment will be required within thirty (30) days of the completion of the work. If payment is not received within the prescribed time frame, steps will be taken to add the expenses onto the tax roll of the property as per the *Weed Control Act* (Part 5, section 28 and 29).

5.0 Appeals

- 5.1 Landowners and stakeholders shall have the right to appeal the Weed Notice to the County's Weed Appeal Panel. The landowner or stakeholder must deliver a written appeal to the Chief Administrative Officer no later than ten (10) days after receipt of the Weed Notice or the specified time in the Notice, whichever is less.
- 5.2 The appeal shall follow the template set out in Part 3 of the *Weed Control Regulation* and include a \$500 deposit that will be returned if the landowner or stakeholder wins their appeal.
- 5.3 The Weed Appeal Panel shall meet and provide a decision within five (5) days of hearing the Appeal.
- 5.4 The Weed Appeal Panel's decision may be appealed to the Minister of Agriculture by the County of St. Paul ASB.
- 5.5 If the landowner or stakeholder are not satisfied with the Weed Appeal Panel's decision, they may appeal in writing to Minister of Agriculture no later than three (3) days after the appeal decision is made. The decision made by the Minister of Agriculture is final.

Council Approval: May 12, 2020