

# RURAL MUNICIPALITY OF SUTTON NO. 103

## BYLAW NO. 1/20

### A BYLAW TO PREVENT AND CONTROL CLUBROOT

The Council of the Rural Municipality of Sutton No. 103 in the Province of Saskatchewan enacts as follows:

1. This bylaw may be referred to as the "Clubroot Bylaw".

#### PART I - PURPOSE AND DEFINITIONS

2. The purpose of this bylaw is to:
  - a. establish the requirements for clubroot reporting and notification; and
  - b. establish the requirements for clubroot 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*, that is to say, a person appointed under section 13 by the council of a municipality or by the minister or a person employed in connection with the administration and management of the department and appointed by the minister for the purpose of enforcing *The Pest Control Act*;
  - b. "Owner" and "Occupant" are as defined in *The Municipalities Act*;
  - c. "Municipality" shall mean the Rural Municipality of Sutton No. 103.

#### PART II - CLUBROOT REPORTING AND NOTIFICATION

5. 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.
6. 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 (thirty) days of becoming aware of same.
7. Any clubroot survey shall be performed in accordance with the Clubroot Survey Protocol attached as Schedule "A" to this municipality's Policy Regarding the Prevention and Control of Clubroot.
8. Notification of the presence of clubroot shall be in writing in Form "A", the Clubroot Survey Form, attached to and forming part of this bylaw. Completed Form "A" should be returned to the office of the Rural Municipality of Sutton No. 103 via email, postal mail, or fax.
9. Where the officer believes that a person has contravened any provision of this bylaw, a Bylaw Violation may be served either personally or by mailing or leaving same at the last known address.
10. The Bylaw Violation Notice shall be in Form "D" attached to and forming part of this bylaw.
11. The Bylaw Violation Notice shall be deemed to have been served:

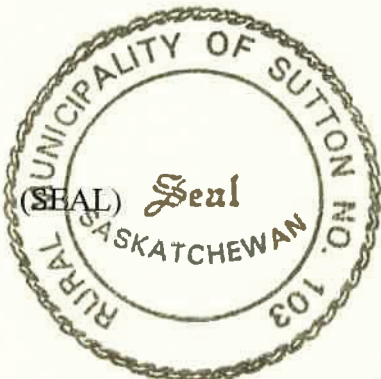
OK AN.

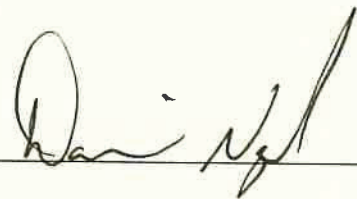
- a. on the expiration of 24 hours after it is posted, if the notice is mailed;
  - b. on the day of actual delivery, if the notice is served personally; or
  - c. on the business day following the transmission, if sent by fax.
12. Per subsection 33(1) of *The Pest Control Act*, in lieu of prosecution, the person who has contravened the provisions of this bylaw shall pay a fine in the amount of \$500.00, which shall be indicated on the Bylaw Violation Notice.

**PART III - CLUBROOT MANAGEMENT**

13. Every owner(s) and/or occupant(s) of any land where clubroot has been identified through notification within the municipality as per Part II or by any other means shall take measures to manage and prevent the spread of clubroot.
14. 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 in accordance with this municipality's Policy Regarding the Prevention and Control of Clubroot.
15. The Clubroot Management Agreement shall be in Form "B" attached to and forming part of this bylaw.
16. 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).
17. When a formal agreement between the owner(s) and/or occupant(s) and the officer cannot be reached, the officer shall write an order in Form "C", the Clubroot Order, attached to and forming part of this bylaw, as per Section 19 of *The Pest Control Act*.
18. This bylaw shall come into force and take effect on the date of the final passing thereof.

Read a third time and adopted  
this 11<sup>th</sup> day of June, 2020

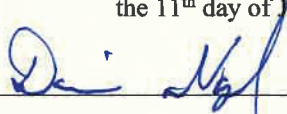



  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
R.M. Administrator



Certified a true copy of Bylaw No. 1/20  
adopted by Resolution of Council on  
the 11<sup>th</sup> day of June, 2020.

  
\_\_\_\_\_  
Reeve

  
\_\_\_\_\_  
R.M. Administrator

**RURAL MUNICIPALITY OF SUTTON NO. 103**

**CLUBROOT SURVEY FORM**

LLD: \_\_\_\_\_

and/or GPS Coordinates: \_\_\_\_\_

as shown on the diagram attached, OR

Address: \_\_\_\_\_ Town/City: \_\_\_\_\_

Pest Control Officer: \_\_\_\_\_

Surveyor (if different from above): \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Landowner Name: \_\_\_\_\_

Date Surveyed: \_\_\_\_\_

Is this survey part of an agreement with the landowner or an order? \_\_\_\_\_  
(specify agreement/order/none)

**Tillage Information (if applicable/known):**

Fall \_\_\_\_\_: No tillage \_\_\_\_\_ Cultivation: \_\_\_\_\_ Discing: \_\_\_\_\_  
(year) (# of times) (# of times)

Other (Please specify): \_\_\_\_\_  
(# of times)

Spring \_\_\_\_\_: No tillage \_\_\_\_\_ Cultivation: \_\_\_\_\_ Discing: \_\_\_\_\_  
(year) (# of times) (# of times)

Other (Please specify): \_\_\_\_\_  
(# of times)

**Seeding Information (if applicable/known):**

Crop: \_\_\_\_\_ Variety: \_\_\_\_\_ Source:  Certified  Common

Seeding date (if available): \_\_\_\_\_ Seeding rate (lbs/ac or kg/ha): \_\_\_\_\_

Total rainfall (if available): June \_\_\_\_\_ July \_\_\_\_\_ Irrigated:  Yes  No

**Rotation Information (if applicable/known):**

(please list canola variety used in previous years if known): \_\_\_\_\_

\_\_\_\_\_:  Wheat  Barley  Canola  Field Pea/Lentil/Dry Bean  Oats  Rye  
(year)

Potato  Forage Grasses  Forage Legumes

Other: \_\_\_\_\_  
(please specify)

\_\_\_\_\_:  Wheat  Barley  Canola  Field Pea/Lentil/Dry Bean  Oats  Rye  
(year)

Potato  Forage Grasses  Forage Legumes

Other: \_\_\_\_\_  
(please specify)

History of cabbage or brassica crops other than canola grown on the field: \_\_\_\_\_

(could include indication of a previous home garden)

All survey information is considered confidential and is to be kept on file in the office of the municipality and released only to authorized municipal or provincial government personnel and the person owning, occupying, or controlling the land surveyed. Disclosure is subject to the agreement reached or orders issued in the event of a positive clubroot finding, as outlined in the clubroot policy of the municipality.

**Field Traffic:** Is there occasional traffic onto the field, e.g. due to oil pumping rigs, power installations, recreational vehicles (ATVs), etc.? Please give details: \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

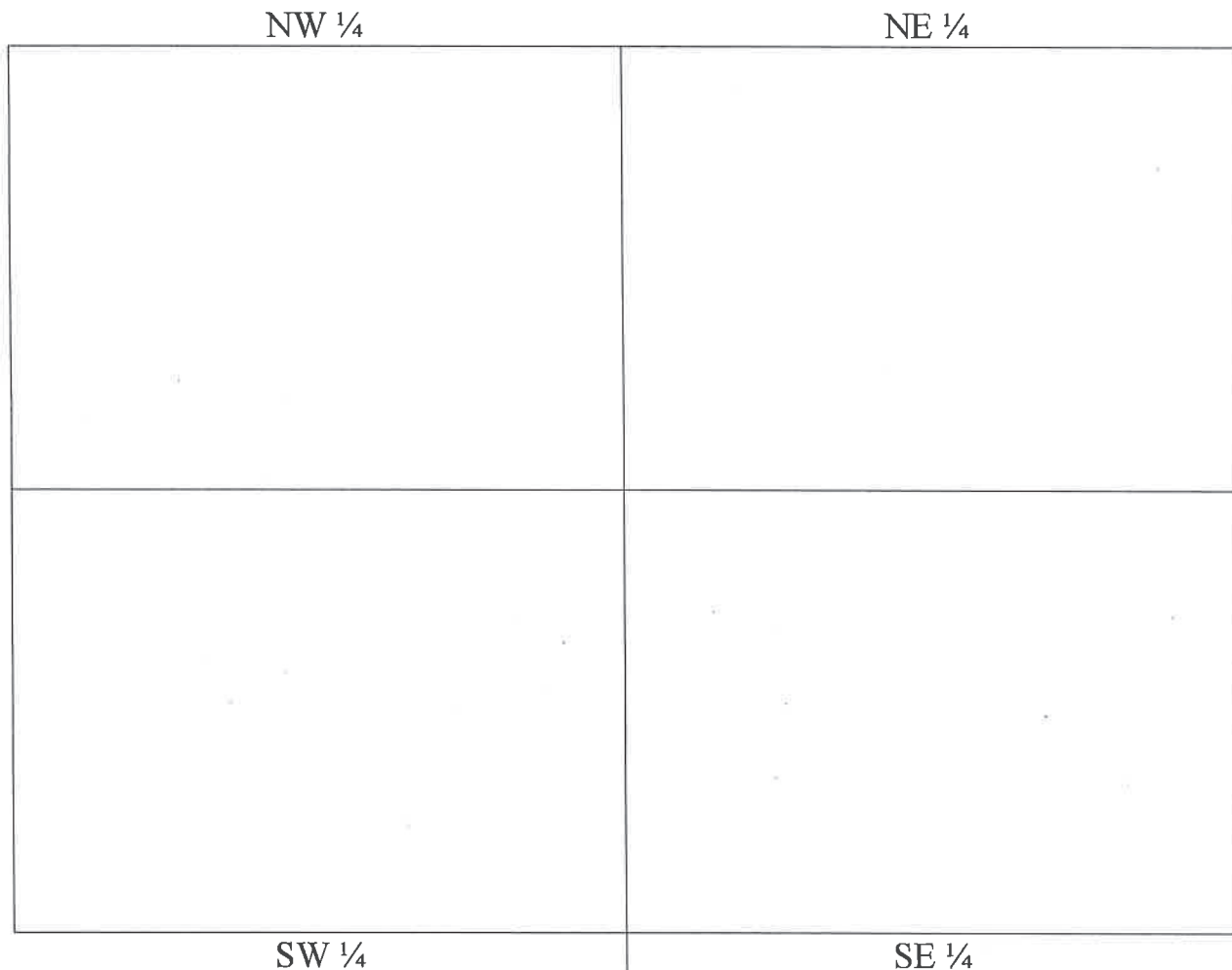
**Comments:** (please attach additional sheets if required): \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_

**TYPES OF SAMPLE(S) COLLECTED (circle one or both):**

SOIL		PLANTS	
# of samples:		# of samples:	

**DIAGRAM SHOWING LOCATION OF FIELD ENTRANCE and/or SAMPLES:**  
 (may be supplemented with map printed from GIS software)



**RURAL MUNICIPALITY OF SUTTON NO. 103**

**CLUBROOT MANAGEMENT AGREEMENT**

Agreement No. \_\_\_\_\_

BETWEEN:

**Pest Control Officer of the Rural Municipality of Sutton No. 103**

and

\_\_\_\_\_

I, the above-mentioned owner or occupant, having this day conferred with the above-mentioned Pest Control Officer, hereby acknowledge the presence of clubroot on the land located at:

LLD: \_\_\_\_\_

and/or GPS Coordinates: \_\_\_\_\_

as shown on the diagram attached

AND hereby agree to do the following work:

(specify details of the Clubroot Management Agreement including actions to be taken to control and prevent the spread of clubroot)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Pest Control Officer

Joanne Kwasnicki, PHO  
SARM Division 2

Phone: (306) 541-8437  
E-Mail: joanne.kwasnicki@gmail.com

Owner/Occupant:

, SK

Phone:  
Fax:  
E-Mail:

Agreed this \_\_\_\_\_ day of \_\_\_\_\_,

Pest Control Officer:

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

\_\_\_\_\_ :

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

**DIAGRAM SHOWING LOCATION OF CLUBROOT**

All survey information is considered confidential and is to be kept on file in the office of the municipality and released only to authorized municipal or provincial government personnel and the person owning, occupying, or controlling the land surveyed. Disclosure is subject to the agreement reached or orders issued in the event of a positive clubroot finding, as outlined in the clubroot policy of the municipality.

(may be supplemented with map printed from GIS software)

NW $\frac{1}{4}$	NE $\frac{1}{4}$
SW $\frac{1}{4}$	SE $\frac{1}{4}$

LLD: \_\_\_\_\_

and/or GPS Coordinates: \_\_\_\_\_

(These locations are approximations only and do not necessarily indicate all clubroot present.)

*Note: This agreement is to be made in triplicate. The original is for the owner/occupant, and the copies are to be submitted to the Municipality.*

*Copy 1: Owner/Occupant    Copy 2: Municipality    Copy 3: Government of Saskatchewan*

**RURAL MUNICIPALITY OF SUTTON NO. 103**

**CLUBROOT ORDER**

Order No. \_\_\_\_\_

To: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

It has come to my attention that clubroot, a declared pest under *The Pest Control Act*: (check one)

has been confirmed on your land described as:

LLD: \_\_\_\_\_

and/or GPS Coordinates: \_\_\_\_\_

as shown on the diagram attached

are present in soil adhering to your machine described as:

\_\_\_\_\_

(description of machine, including serial number and, if applicable, license plate)

In accordance with the Clubroot Bylaw for the Municipality, you are hereby notified:

*(Detail instructions including methods to be used to control clubroot or sanitize machine and setting out any prohibitions or other measures the Pest Control Officer considers necessary or appropriate.)*

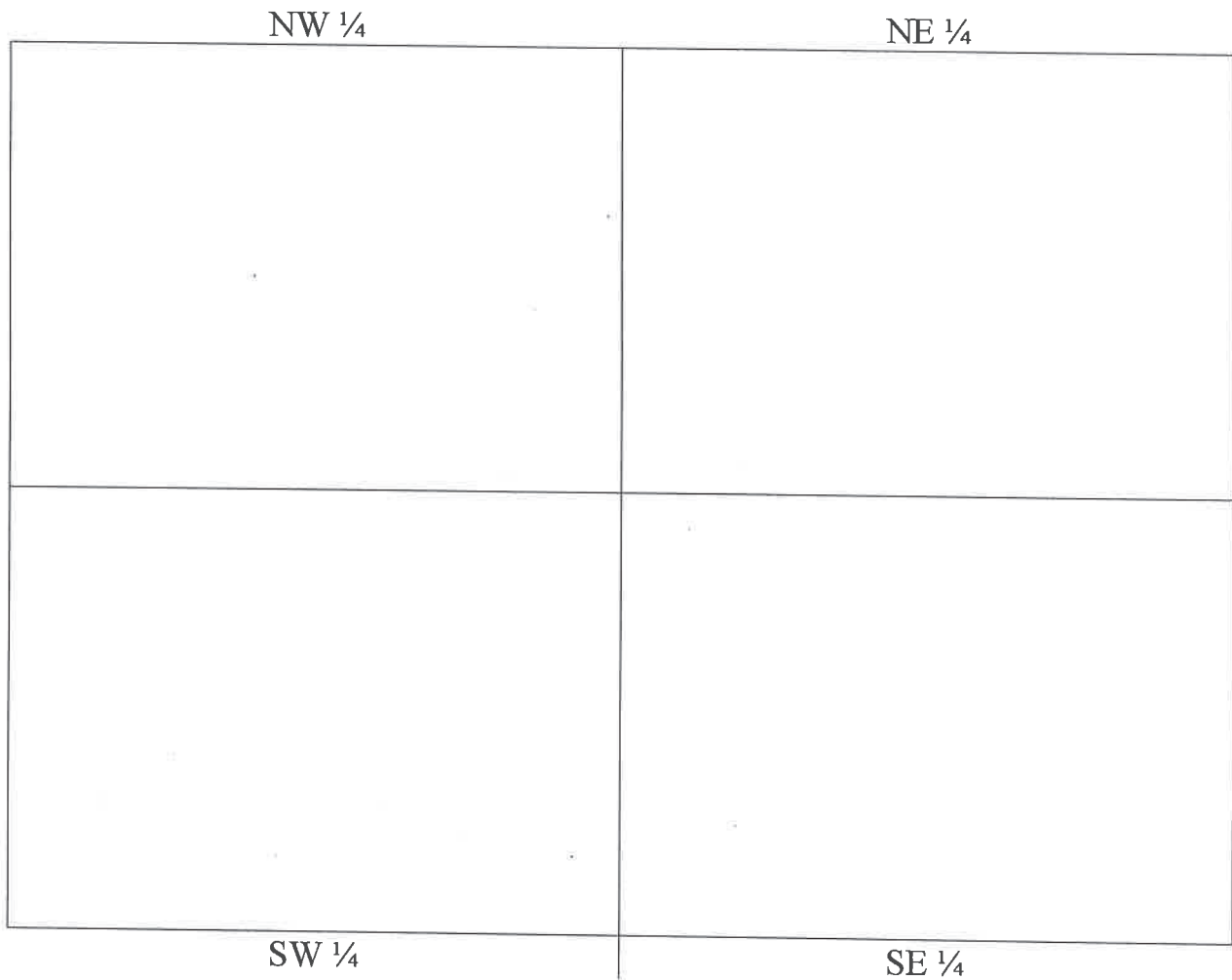
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Rural Municipality of Sutton No. 103  
Pest Control Officer:

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Signature

**DIAGRAM SHOWING LOCATION OF CLUBROOT**  
(may be supplemented with map printed from GIS software)



LLD: \_\_\_\_\_

and/or GPS Coordinates: \_\_\_\_\_

(These locations are approximations only and do not necessarily indicate all clubroot present.)

*Note: This order is to be made in triplicate. The original is for the person to whom it is served, and the copies are to be submitted to the Municipality.*

*Copy 1: Owner/Occupant/Person in charge of a machine    Copy 2: Municipality    Copy 3: Government of Saskatchewan*



**FORM "D"**

**R.M. of Sutton No. 103**

**BYLAW VIOLATION NOTICE  
(pursuant to Bylaw No. 1/20)**

**Name:**

**Address:**

This official notice is issued for alleged breach of the following bylaw: Bylaw No. 1/20

**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 Sutton No. 103, PO Box 100, Mossbank, SK, S0H 3G0)

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

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

\_\_\_\_\_  
Name of Officer (print)

\_\_\_\_\_  
Signature