

RURAL MUNICIPALITY OF EYEBROW NO. 193

Eyeбrow, Saskatchewan

BYLAW NO. 1/09

A BYLAW OF THE RURAL MUNICIPALITY OF EYEBROW NO. 193 TO TAKE POSSESSION OF AND OCCUPY LAND TO DESTROY AND ERADICATE THE NOXIOUS WEED LEAFY SPURGE AND TAKE ANY STEPS THAT MAY BE NECESSARY OR EXPEDIENT FOR THOSE PURPOSES.

Whereas the council considers the keeping and maintain of properties free of Leafy Spurge within the R.M. of Eyeбrow a necessary requirement; and,

Whereas Section 13(1) of *The Noxious Weeds Act, 1984*, provides that every owner or occupant of land shall destroy noxious weeds on his land and prevent the spread of noxious weeds to other lands; and,

Whereas the council considers it impossible or inexpedient to enter into an agreement with the owner of land infected within the municipality pursuant to Section 23 of *The Noxious Weeds Act, 1984*, for the control and eradications of Leafy Spurge;

1. The Council authorizes the municipality's weed inspector or another person to enter on, take possession of and occupy the land as listed by council, but not the buildings on the lands, with any persons, animals and machines that may be necessary to cultivate the land, sow and harvest crops on the land, destroy and eradicate Leafy Spurge and take any steps that may be necessary or expedient for those purposes for a period of four (4) years, from the date reported by council. On the date after the four year period, possession and occupation of the said land shall be yielded up to the owner of the land and the person entitled to it shall be permitted to re-enter.
2. The owner or occupant is prohibited from sowing or harvesting crops of any kinds, pasturing animals on or otherwise using the said land.
3. The council and municipality is authorized to make expenditures of any moneys that it considers necessary for carrying into effect and completing any program for the destruction and eradication of Leafy Spurge on the said land.
4. The municipality may retain and apply the whole or any portion of the proceeds of the sale of the crops harvested on the land:
 - a. firstly, on expenses incurred by reason of action taken pursuant to Section (1); and
 - b. secondly, on the taxes owing in respect of the land for a number of years equal to the number of years during which the municipality is in possession and occupation of the land;and shall pay any surplus to the person entitled to it.
5. The municipality may recover from the owner or occupant of the land, any amounts expended in work performed in the destruction and eradication of Leafy Spurge and other noxious weeds mentioned in Section 1 above, in the same manner as rates and taxes.
6. This bylaw shall come into force and take effect on August 13, 2009.

Reeve

(SEAL)

Administrator

Certified a true copy of Bylaw No. 1/09 adopted by the council of the Rural Municipality of Eyeбrow No. 193 on the 13th day of August, 2009.

(SEAL)

Administrator

