

RURAL MUNICIPALITY OF MARRIOTT NO. 317

BYLAW NO. 01-2019

A BYLAW TO ESTABLISH A PROCESS FOR THE PREVENTION AND CONTROL OF CLUBROOT DISEASE OF CRUCIFERS

BYLAW TO PREVENT AND CONTROL CLUBROOT

The Council of the Rural Municipality of Marriott No. 317 in the Province of Saskatchewan enacts as follows:

Short title

1. This Bylaw may be referenced as the "Clubroot Bylaw"

PART I

PURPOSE AND DEFINITION

Purpose and scope

2. The purpose of this Bylaw is to:
 - a) Establish the requirements for clubroot reporting and notification
 - 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*"

Definitions

4. In this Bylaw:
 - a) "Officer" means an officer within the meaning of *The Pest Control Act*;
 - b) Owner and occupant are as defined in *The Municipalities Act*
 - c) "Municipality" means the Rural Municipality of Marriott No. 317;

PART II

CLUBROOT REPORTING AND NOTIFICATION

5. 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 business days of becoming aware of the same.
6. Notification of the presence of clubroot shall be in writing (email or postal mail) and submitted to the office of the Rural Municipality of Marriott No. 317
7. 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.
8. The Bylaw Violation Notice shall be in Schedule "1", attached to and forming part of this Bylaw.
9. The Bylaw Violation Notice shall be deemed to have been served:
 - 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 given by facsimile.
10. In lieu of prosecution, the person who has contravened the provisions of this Bylaw may pay a fine in the amount of \$5,000.00 which shall be indicated on the Bylaw Violation Notice.

**PART III
CLUBROOT MANAGEMENT**

11. 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.
12. 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 agronomist currently practicing with the Saskatchewan Institute of Agronomists in accordance with Policy No. 1-2019.
13. 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).
14. When a formal agreement between the owner(s) and/or occupant(s) and the officer cannot be reached, the officer shall write an order as per Section 19 of *The Pest Control Act*.
15. This bylaw shall come into force on the 17th day of April, 2019.



Orville Minish, Reeve

Jill Palichuk, Administrator

Certified a true and correct copy of Bylaw No. 01-2019,
passed by the Council of the Rural Municipality of
Marriott No. 317 on the 17 day of April, 2019.

Reeve
Administrator

R.M. of Marriott Clubroot Bylaw No. 01-2019

Schedule 1 to Bylaw No. 01-2019

BYLAW VIOLATION NOTICE

**R.M. Marriott No. 317
BYLAW VIOLATION NOTICE**

Name:

Address:

This official notice is issued for alleged breach of the following bylaw:

Bylaw No. 01-2019

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
R.M. Marriott No. 317 Box 366 Rosetown, Sask. S0L 2V0.

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

**RURAL MUNICIPALITY OF MARRIOTT NO. 317
POLICY NO. 1-2019**

A POLICY REGARDING THE PREVENTION AND CONTROL OF CLUBROOT

**PART I
DEFINITIONS**

1. In this Policy:
 - a) Clubroot confirmation means that clubroot disease symptoms were observed in a susceptible crop. Detection of the clubroot pathogen's DNA in a plant or soil sample, obtained by laboratory testing, may be conducted as needed to confirm clubroot diagnosis.
 - i) Detection of clubroot pathogens' DNA in a plant or soil sample in the absence of visible symptoms is not sufficient for clubroot confirmation. When this occurs the landowner(s) and/or occupant(s) will be encouraged to implement proactive management strategies to prevent the spread of the clubroot pathogen and to keep pathogen low. Fields may be monitored in subsequent years for the development of clubroot symptoms to enable clubroot confirmation.
 - b) "Council" means the Council of the Rural Municipality of Marriott No. 317.
 - c) "Officer" means an officer within the meaning of *The Pest Control Act*,
 - d) Owner and occupant are as defined in *The Municipalities Act*
 - e) "Municipality" means the Rural Municipality of Marriott No. 317

**PART II
POLICY STATEMENT**

2. The Municipality recognizes that clubroot is a serious problem of cruciferous plants such as canola, mustard, camelina, oilseed radish, taramira and cruciferous vegetables such as arugula, broccoli, Brussels sprouts, cabbage, cauliflower, Chinese cabbage, kale, kohlrabi, radish, rutabaga, turnip and cruciferous weeds (e.g. stinkweed, shepherd's purse, wild mustard, volunteer canola).
3. The Municipality recognizes that the clubroot pathogen is soil-borne and therefore can be spread by soil movement on equipment, vehicles, tires, shoes, earth tag on seed and tubers grown in clubroot infested soil or any other activity or event that results in the movement of soil.
4. The Municipality supports the principle to control the spread of clubroot, which has been declared a pest under *The Pest Control Act*.
5. *The Pest Control Act* authorizes municipalities and officers to act in relation to clubroot.

**PART III
CLUBROOT NOTIFICATION AND CONFIRMATION**

6. By way of the Municipalities Clubroot Bylaw No. 02-2019 every owner and/or occupant of land shall notify the Municipality or officer of the Municipality in which the land is located in writing (email or posted mail), within 30 business days of confirmation of the presence of clubroot, and provide the exact location of the disease. Form A may be used as a template for notification and documentation of the location of the clubroot within the field.
7. Personal survey protocol and details of self-reporting clubroot findings is to be considered confidential and kept on file in the office of the Municipality and released only to authorized


municipal or provincial government personnel and the person(s) owning, occupying or controlling the land. Disclosure is subject to agreement reached with the landowner(s) and/or occupant(s), in the best interest of the community in accordance with *The Saskatchewan Clubroot Management Plan*.


8. Clubroot field inspections shall be conducted by officer(s) to monitor for clubroot and/or enforce *The Pest Control Act* within the municipality.
9. Clubroot survey procedures and the reporting form will follow standard protocols as recommended by the Saskatchewan Clubroot Initiative and the Saskatchewan Ministry of Agriculture (see Schedule A).

PART IV CLUBROOT MANGEMENT

10. By way of Municipality's Clubroot Bylaw No. 01-2019 the owner(s) and/or occupants of land where clubroot has been confirmed shall develop a Clubroot Management Agreement (using form B) with the assistance of an agronomist currently practicing with the Saskatchewan Institute of Agronomists.
11. *The Saskatchewan Clubroot Management Plan* shall be referred to and used as a guide for any control/prevention measures. An updated copy of this document can be obtained by calling the Saskatchewan Agriculture Knowledge Centre at 1-866-457-2377.
12. The Clubroot management Agreement (Form B) agreed upon between the owner(s) and/or occupant(s) and the officer shall:
 - a) Meet the minimum standards as identified within *The Saskatchewan Clubroot Management Plan*.
 - b) Include actions to manage and prevent the spread of clubroot
 - c) Require the owner(s) and/or occupant(s) to disclose that clubroot has been confirmed if the land is sold or rented to another owner(s) and/or occupant(s)
 - d) Require notification of occupants and easement holders who have access to the land to enable biosecurity actions to prevent the spread of clubroot.
 - e) Be returned to the office rwithin 30 business days.
 - f) Shall be signed by the landowner(s) and/or occupant(s) of the land and the officer.
13. When a formal agreement cannot be reached or the landowner(s) and/or occupant(s) fail to carry out the measures outline in the Clubroot Management Agreement entered into under 11, the officer may write an order as per Section 19 of *The Pest Control Act* using form C.
14. The owner(s) and/or occupant(s) shall take all actions as orderd by the officer.
15. This policy shall come into force on the 17th day of April, 2019




Orville Minish, Reeve


Jill Palichuk, Administrator

CLUBROOT SURVEY FORM - FORM A

_____ 1/4S _____ Twp _____ Rge _____ West of the _____ Meridian

and/or GPS Coordinate N _____ and W _____

as shown on the diagram attached,

-or- Number, Street: _____ Town/ City: _____

Pest Control Officer: _____

Surveyor Name (if different than above): _____

Address: _____

Landowner Name: _____

Farmer Name: _____

Date surveyed: _____

Is this survey part of an agreement with the landowner or an order? _____

Tillage Information (if applicable/know):

Fall 20 _____ : No tillage _____ Cultivation (#of times) _____ Discing (# of times) _____

Other: (Please Specify) # of times _____

Spring 20 _____ : No tillage _____ Cultivation (#of times) _____ Discing (# of times) _____

Other: (Please Specify) # of times _____

Seeding Information (if applicable/know):

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/know):

(please list canola variety used in previous years if know): _____

20 _____ : Wheat _____ Barley _____ Canola _____ Field peas, lentil, dry bean _____

Oats _____ Rye _____ Potato _____ Forage grasses _____ Forage legumes _____ Other _____

(please specify _____)

History of crucifer vegetables or crucifer (brassica) crops other than canola grown on the field: _____

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 outline in the clubroot policy of the municipality.