



BYLAW No. 22-895 of the Municipal District of Greenview No. 16

A Bylaw of the Municipal District of Greenview No. 16 to provide for protecting the agricultural productivity of lands within Greenview.

Whereas, the Municipal Government Act Chapter M-26 as stated, in Part 2, Section 7 states that the Council of a municipality may make bylaws for the safety, health and welfare of people and the protection of people and property;

Whereas, the Agricultural Pests Act of Alberta list specific concerns whose presence threatens the economic well-being and viability of the agricultural producers in Greenview;

Whereas, Greenview has deemed it expedient and in the public interest to ensure that pests, diseases, insects, plants or other organisms within the municipality not listed under the Agricultural Pests Act, Weed Control Act, or Fisheries Act, their Regulations are not allowed to establish or spread and do not impact the economic viability of local agricultural producers;

Therefore, the Council of the Municipal District of Greenview No. 16, duly assembled, hereby enacts as follows:

1. TITLE

1.1. This bylaw shall be cited as the “Unlegislated Agriculture Pest Bylaw”.

2. DEFINITIONS

2.1. **Greenview** means the Municipal District of Greenview No 16.

2.2. **Injurious species** means an organism that causes economic or environmental harm, that is not a legislated species under the Fisheries Act, Pest and Nuisance Regulation or Weed Control Regulation, that has been deemed by Council to have the potential to adversely impact the agricultural productivity of land or livestock including the quality and marketability of crops or livestock;

2.3. **Inspector** means the Agricultural Fieldman appointed by Greenview, or such other person(s) appointed by Greenview to administer and enforce this Bylaw;

2.4. **Livestock** means cattle, sheep, diversified livestock animals within the meaning of the Livestock Industry Diversification Act,

- 2.5. **Municipal Government Act or MGA** means the Municipal Government Act of Alberta, Revised Statutes of Alberta Chapter M-26, the most current edition.
- 2.6. **Council** means the council presiding for Greenview
- 2.7. **Owner** means a Person who controls the property under consideration, holds themselves out as the person having the powers and authority of ownership or who at the relevant time exercises the powers and authority of ownership, and includes:
- A) The Person registered on title at the Land Titles Office;
 - B) A Person who is recorded as the owner of the property on the assessment roll of Greenview;
 - C) A Person who has purchased or otherwise acquired the property and has not become the registered owner thereof; and
 - D) A Person who is the occupant of the property under a lease, license, permit or other agreement;
- 2.8. **Property** means any lands, buildings or structures, whether or not affixed to land;
- 2.9. **Person** means an individual, a firm, partnership, joint venture, proprietorship, corporation, association, society or any other legal entity;
- 2.10. **Retailer** means any person or company who promotes, cleans or offers for sale or any service related to seed, plants or plant parts, livestock, soil or soil amendments or any other organism to an Owner that could be deemed to adversely impact agriculture in Greenview

3. **AUTHORITY OF INSPECTORS**

- 3.1. Within the boundaries of Greenview, the Inspector's powers will include:
- A) The right to enter onto any Property at any reasonable time to inspect and seek to identify the presence of any agricultural injurious species;
 - i. The inspector shall not enter a private dwelling for inspection unless consent is granted by the Owner or written notice is given;
 - ii. The inspector may be accompanied by a Peace Officer;
 - B) To survey for or collect samples of seeds, plants or other substances or items from any Property and test or send such samples for testing to verify or determine the presence of any injurious species;
 - C) To take such other reasonable steps as may be required to uncover and identify the presence of and to prevent the sale or importation of all applicable injurious species municipally addressed via Policy at any Retailer within Greenview.

4. **OBSTRUCTION**

- 4.1. No Person, whether or not they are the Owner or Retailer which is the subject of any inspection under this Bylaw, shall interfere with or attempt to obstruct an Inspector who is attempting to inspect, identify, or take possession of any injurious species or otherwise carrying out any duty under this Bylaw.

5. SEVERABILITY

5.1. Should any provision of this Bylaw be found to be invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, such provisions of this Bylaw shall remain valid and enforceable.

6. COMING INTO FORCE

6.1. This Bylaw shall come into force and effect upon the day of final passing and signing.


Read a first time this 22 day of February, 2022.

Read a second time this 24 day of May, 2022.

Read a third time this 24 day of May, 2022.



REEVE



CHIEF ADMINISTRATIVE OFFICER