

The Noxious Weeds Act, 1984

being

Chapter N-9.1* of the *Statutes of Saskatchewan, 1983-84* (effective May 25, 1984) as amended by the *Statutes of Saskatchewan, 1998, c.29*; and *2005, c.M-36.1*.

***NOTE:** Pursuant to subsection 33(1) of *The Interpretation Act, 1995*, the Consequential Amendment sections, schedules and/or tables within this Act have been removed. Upon coming into force, the consequential amendments contained in those sections became part of the enactment(s) that they amend, and have thereby been incorporated into the corresponding Acts. Please refer to the Separate Chapter to obtain consequential amendment details and specifics.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

Table of Contents

	PART I		PART IV
	General		Powers of Municipalities
1	Short title	23	Eradication of certain noxious weeds
2	Interpretation	24	Agreements between municipalities
3	Municipality deemed owner of roads	25	Tarping bylaw
4	Duties of director	26	Eradication of noxious weeds
5	District representatives and officers	27	Appeal against bylaw
6	Powers of officials		PART V
7	Appointment, term of office and remuneration		Cost of Destroying Noxious Weeds
8	Notification of appointment	28	Maximum expense permitted
9	Jurisdiction of rural weed inspector	29	Recovery from owner or occupant
10	Liability of municipality	30	Certificate of treasurer
11	Weekly report		PART VI
12	Annual report		Offences and Penalties
	PART II	31	Obstruction
	Owners or Occupants of Lands	32	Protection of screenings
13	Duty to control noxious weeds	33	Machines containing noxious weeds
14	Appointment of agent by absent owner	34	Offence and penalties
	PART III	35	Disposition of fines
	Powers and Duties of		PART VII
	Weed Inspectors		Miscellaneous
15	Enforcement of Act	36	Generally
16	Entry on land	37	Irrigation companies and drainage associations
17	Agreements and orders	38	Railway companies
18	Unoccupied urban land	39	Regulations
19	Prohibition re seeding	40	R.S.S. 1978, c.N-9 repealed
20	Prohibition re removal of grain, etc.		SCHEDULE
21	Permits re removal of screenings		Noxious Weeds
22	Vehicles and machinery		Repealed

CHAPTER N-9.1

An Act respecting Noxious Weeds

PART I

General

SHORT TITLE AND INTERPRETATION

Short title

1 This Act may be cited as *The Noxious Weeds Act, 1984*.

Interpretation

2 In this Act:

- (a) “**council**” means the council of a municipality;
- (b) “**department**” means the department over which the minister presides;
- (c) “**director**” means the Director of Plant Industry in the department;
- (d) “**land**” means land within the boundaries of a municipality;
- (e) “**minister**” means the member of the Executive Council to whom for the time being the administration of this Act is assigned;
- (f) “**municipality**” means a municipality other than a northern municipality;
- (g) “**noxious weed**” means any plant that the minister may designate in the regulations as a noxious weed for the purposes of this Act, and includes the seeds of that plant;
- (h) “**occupant**” means a resident occupier of land in a municipality or, if there is no resident occupier, the person entitled to the possession of the land as leaseholder or a person having or enjoying in any way for any purpose the use of the land;
- (i) “**owner**” means a person who has any right, title, estate or interest in or to land in a municipality and who is assessed in respect of that land;
- (j) “**roads**” includes streets, lanes, public highways and road allowances;
- (k) **Repealed.** 2005, c.M-36.1, s.449.
- (l) “**weed inspector**” means a weed inspector appointed by a council or by the minister pursuant to section 7.

1983-84, c.N-9.1, s.2; 1998, c.29, s.3; 2005,
c.M-36.1, s.449.

Municipality deemed owner of roads

3 For the purposes of this Act, a municipality is deemed to be the owner of the roads within its boundaries.

1983-84, c.N-9.1, s.3.

c. N-9.1

NOXIOUS WEEDS

ADMINISTRATION

Duties of director

4 It is the duty of the director to:

- (a) provide information to the public on matters relating to the destruction of noxious weeds and other plants injurious to agriculture;
- (b) prepare and supervise the publication of bulletins for public information with respect to noxious weeds;
- (c) conduct any investigations that are necessary for the proper administration of this Act;
- (d) answer all inquiries relating to noxious weeds and their identification, and otherwise assist in the administration of this Act as the minister directs;
- (e) perform any other duties that may be necessary in the administration of this Act.

1983-84, c.N-9.1, s.4.

District representatives and officers

5 The Public Service Commission may appoint district representatives and other officers required to carry out the provisions of this Act, fix their remuneration and define their duties.

1983-84, c.N-9.1, s.5.

Powers of officials

6 The director and district representatives appointed pursuant to section 5 have all the powers of weed inspectors.

1983-84, c.N-9.1, s.6.

WEED INSPECTORS

Appointment, term of office and remuneration

7(1) A council may appoint any weed inspectors required to enforce this Act within the municipality.

(2) If a council receives a petition signed by at least 10 persons who are qualified to vote on money bylaws in the municipality requesting that a weed inspector be appointed to enforce this Act, the council shall appoint a weed inspector at its next meeting following receipt of the petition.

(3) If the council of a municipality in which noxious weeds are prevalent has not appointed a weed inspector, the minister may, after he has given notice requiring an appointment to be made to the council through its clerk or secretary treasurer and the council has failed for 15 days to comply with the notice:

- (a) appoint one or more persons to perform the duties of weed inspectors within the municipality; and
- (b) determine the duration of each appointment and the remuneration to be paid to the persons appointed out of the funds of the municipality.

NOXIOUS WEEDS

c. N-9.1

(4) If a council neglects or refuses to pay the remuneration determined by the minister pursuant to subsection (3), the Minister of Finance, on the recommendation of the minister, may pay that remuneration and shall deduct any sum so paid from any sums payable at any time thereafter to the municipality.

(5) A weed inspector holds office until December 31 of the year in which his appointment is made, unless the appointment is terminated at an earlier date by notice in writing, and, subject to subsection (3), is to be paid any remuneration that the council may decide.

1983-84, c.N-9.1, s.7.

Notification of appointment

8(1) The clerk or administrator, as the case may be, of a municipality shall notify the director immediately of any appointment made by the municipality pursuant to section 7, giving the post office address of the appointee, the location of the appointee's residence and the territory assigned to the appointee.

(2) If the notification of the appointment of a weed inspector in a municipality other than a rural municipality is not received by the director within 14 days after the appointment, the municipality is deemed not to have appointed a weed inspector.

2005, c.M-36.1, s.449.

Jurisdiction of rural weed inspector

9 If the council of a municipality other than a rural municipality has not appointed a weed inspector, a weed inspector designated by the council of the rural municipality surrounding that municipality may exercise in that municipality all the powers conferred by this Act on weed inspectors.

2005, c.M-36.1, s.449.

Liability of municipality

10 Every municipality is responsible for the negligence of its weed inspectors in the performance of their duties, whether appointed by the council or by the minister.

1983-84, c.N-9.1, s.10.

Weekly report

11 Every weed inspector shall make a weekly report, on a form approved by the minister, to the clerk or administrator, as the case may be, of the municipality in which the weed inspector is engaged, setting out clearly and fully all details of inspections made and all orders served by the weed inspector.

2005, c.M-36.1, s.449.

Annual report

12(1) Every weed inspector shall prepare and deliver two copies of an annual report, on a form approved by the minister, to the clerk or administrator, as the case may be, of the municipality not later than November 1 in each year, stating the general conditions that the weed inspector observed regarding noxious weeds, the methods that he or she followed and the results obtained.

c. N-9.1**NOXIOUS WEEDS**

(2) The report mentioned in subsection (1) is to be accompanied by two copies of all agreements made and orders issued under this Act during the year.

(3) The clerk or administrator, as the case may be, of a municipality shall forward one copy of all forms received pursuant to this section to the director not later than December 31 in the year to which they refer, and shall promptly mail any other records relating to weed inspection that may be requested by the director for examination.

1983-84, c.N-9.1, s.12; 2005, c.M-36.1, s.449.

**PART II
Owners or Occupants of Lands**

Duty to control noxious weeds

13(1) Every owner or occupant of land shall destroy noxious weeds on his land and prevent the spread of noxious weeds to other lands.

(2) An owner or occupant is deemed to have complied with this section when he has performed on the land concerned, in due season and in a workmanlike manner, those acts that are commonly regarded in the district adjacent to the land as effective in controlling the noxious weeds found on the land.

1983-84, c.N-9.1, s.13.

Appointment of agent by absent owner

14(1) An owner or occupant of land may appoint a resident of Saskatchewan as his agent for the purpose of notification under this Act, and shall notify the clerk or administrator, as the case may be, of the municipality in which the land is situated of the appointment by registered mail before May 1 in the year in which the appointment is made.

(2) The clerk or administrator, as the case may be, shall, immediately after receipt of a notice of the appointment of an agent pursuant to subsection (1), notify the weed inspector for the district, in writing, of the appointment giving the name and address of the agent and a description of the land for which he is agent.

1983-84, c.N-9.1, s.14; 2005, c.M-36.1, s.449.

**PART III
Powers and Duties of Weed Inspectors
GENERAL**

Enforcement of Act

15 A weed inspector shall enforce this Act and investigate and deal with complaints made to him or to the council by which he is appointed respecting noxious weeds.

1983-84, c.N-9.1, s.15.

NOXIOUS WEEDS

c. N-9.1

Entry on land

16 A weed inspector may enter land and premises, other than a dwelling house, for the purpose of performing the duties and exercising the powers contained in this Act, and the owner or occupant shall provide him a reasonable opportunity for a thorough inspection.

1983-84, c.N-9.1, s.16.

DESTRUCTION OF NOXIOUS WEEDS

Agreements and orders

17(1) If land is infested with noxious weeds and the owner or occupant resides in the municipality, the weed inspector shall confer with him regarding the methods of control to be applied with a view to the most satisfactory treatment from the standpoint of the owner or occupant as well as of the community, and an agreement in the form prescribed in the regulations, setting out fully the arrangements made, may be signed by both parties.

(2) The weed inspector may issue an order, in the form prescribed in the regulations, to the owner or occupant of land infested with noxious weeds requiring the destruction of the noxious weeds through the performance of any acts or operations, specified in the order, that in the weed inspector's judgment constitute good agricultural practice for the land and the district concerned, where:

- (a) an agreement pursuant to subsection (1) cannot be reached;
- (b) the owner or occupant of the land does not reside in the municipality; or
- (c) the weed inspector fails to find the occupant of the land at his or her usual place of residence after one visit or, in the case of land situated in a rural municipality, after two visits on different days.

(3) No weed inspector shall issue an order pursuant to subsection (2) requiring the destruction of a crop except in the case of a crop infested with leafy spurge, hoary cress, Russian knapweed, field bindweed or toadflax and in that case the prior consent of the reeve and the councillor for the division in which the land concerned is located or of the council is to be obtained if the part to be destroyed exceeds 10% of the total cropped area of the infested field.

(4) If an agreement has been reached pursuant to subsection (1) but is not being carried out to the satisfaction of the weed inspector or if work is not commenced within the time mentioned and carried out as specified in an order issued pursuant to subsection (2), the weed inspector may immediately take any steps that are necessary to perform the work required by the agreement or order.

1983-84, c.N-9.1, s.17; 1998, c.29, s.4.

Unoccupied urban land

18 Notwithstanding any other provision of this Act, the council of a municipality other than a rural municipality may authorize a weed inspector to enter on any unoccupied parcel of land within its boundaries, without previous notice to the owner, and to take any steps to destroy noxious weeds on the land that the weed inspector considers fit and proper.

1983-84, c.N-9.1, s.18; 2005, c.M-36.1, s.449.

CONTROL OF NOXIOUS WEEDS

Prohibition re seeding

19(1) Subject to subsection (2), a weed inspector may, by order in writing, prohibit the owner or occupant of any land infested with leafy spurge, hoary cress, Russian knapweed, field bindweed or toadflax from sowing a crop of any kind on that land.

(2) If the area of the land on which the sowing of a crop is to be prohibited exceeds 10 acres, the weed inspector shall obtain the prior consent of the reeve and the councillor for the division in which the land concerned is located or of the council.

1983-84, c.N-9.1, s.19.

Prohibition re removal of grain, etc.

20(1) A weed inspector may, by order in writing, prohibit, except under any conditions that he may permit and specify in that order, the sale or other disposition, purchase or other acquisition or movement, except on the parcel of land on which it was produced, of hay, straw or other fodder or field crop seeds, bran, shorts, crushed grain or cleanings of any kind that are found to contain noxious weeds.

(2) A weed inspector employed by a rural municipality may in any municipality inspect any grain, fodder or other thing mentioned in subsection (1) and may, by order in writing, prohibit, except under any conditions that he may permit and specify in writing, the sale, movement or other disposal of such material that is found to contain noxious weeds.

(3) A municipality may by bylaw require that the owner of any grain, fodder or other thing mentioned in subsection (1) or his agent notify a weed inspector employed by the municipality or, if there is no weed inspector, the clerk or administrator, as the case may be, of the municipality before it is moved into the municipality, and shall provide the person notified a reasonable opportunity for inspection.

(4) Subsection (3) does not apply to registered seed in sealed sacks bearing the seal of The Canadian Seed Growers' Association, or seed which is correctly graded and labelled in accordance with the *Seeds Act* (Canada), as amended from time to time.

1983-84, c.N-9.1, s.20; 2005, c.M-36.1, s.449.

Permits re removal of screenings

21(1) Before removing screenings from the grain elevator or the warehouse where the grain is cleaned or stored, a purchaser of the screenings shall obtain a permit from a weed inspector or, if there is no weed inspector, from the clerk or administrator, as the case may be, of the municipality into which it is proposed to remove the screenings, and the removal is subject to the conditions that may be specified in the permit.

(2) Notwithstanding subsection (1), a farmer may, without a permit, receive and return to his own premises the screenings from grain produced on his farm, if measures satisfactory to the weed inspector are taken to prevent their distribution.

(3) A legible card containing the provisions of subsection (1) is to be conspicuously posted in grain elevators or warehouses where grain is cleaned or stored.

1983-84, c.N-9.1, s.21; 2005, c.M-36.1, s.449.

Vehicles and machinery

22(1) No person shall enter or travel on any road with any machine or implement containing noxious weeds or to which noxious weeds are adhering without having first thoroughly cleaned the machine or implement both inside and out by the removal of the noxious weeds.

(2) A weed inspector or the clerk or administrator, as the case may be, of a municipality may issue an order to the person in possession or in charge of any machine or implement that is infested with noxious weeds requiring the removal or destruction of the weeds in a manner satisfactory to the inspector, clerk or administrator, as the case may be, before the machine or implement may be moved into the municipality.

1983-84, c.N-9.1, s.22; 2005, c.M-36.1, s.449.

PART IV
Powers of Municipalities
AGREEMENTS

Eradication of certain noxious weeds

23(1) If any land in a municipality is infested with leafy spurge, field bindweed, Russian knapweed, toadflax or hoary cress, the municipality may enter into an agreement with the owner of the land, the occupant of the land or any person having a registered mortgage on the land for the purpose of destroying and eradicating the noxious weeds.

(2) An agreement entered into pursuant to subsection (1) is required to:

(a) specify the methods of destruction and eradication to be used, whether by cultural practices, sowing down to grass, the application of chemicals or any other means;

(b) specify whether the methods mentioned in clause (a) are to be applied by the municipality or by any or all of the other parties to the agreement; and

c. N-9.1**NOXIOUS WEEDS**

(c) provide for all other matters and things necessary to carry out the purposes of the agreement, including the ownership or apportionment of the crops grown on the land, the payment of taxes, the compensation, if any, to be paid to the owner, occupant or other person entitled to it and the manner in which any compensation is to be paid or applied.

(3) No agreement entered into pursuant to subsection (1) may relate to a period longer than five years, but an agreement may be renewed from time to time for any period not exceeding five years.

1983-84, c.N-9.1, s.23.

Agreements between municipalities

24(1) A municipality may enter into agreements with any other municipality for joint action in controlling, destroying or eradicating noxious weeds, including appointing a joint committee to control, supervise and manage the program of weed control, destruction or eradication undertaken pursuant to the agreement, purchasing equipment and hiring equipment operators.

(2) If an agreement is made pursuant to subsection (1), the council may appoint one or more persons to represent the municipality on the joint committee and may by bylaw authorize the expenditure of moneys required for the purpose of implementing the agreement and meeting the expenses incurred as a result of it.

1983-84, c.N-9.1, s.24.

BYLAWS**Tarping bylaw**

25(1) A council may by bylaw require that any grain, fodder, field crop seeds, crushed grain or cleanings of any kind, while being moved within the municipality, be covered in a manner that will prevent the spread of noxious weeds during such movement.

(2) A council may by bylaw specify the manner in which trucks or any other vehicles used to transport grain, fodder, field crop seeds, crushed grain or cleanings of any kind within the municipality are to be covered in order to prevent the spread of noxious weeds.

(3) A bylaw passed pursuant to subsection (1) or (2) may require that a legible card containing the provisions of the bylaw be conspicuously posted in all grain elevators, seed cleaning plants and seed warehouses within the municipality.

(4) A bylaw passed pursuant to subsection (1) or (2) may provide for a fine of not more than \$500 for breach of any of its provisions.

1983-84, c.N-9.1, s.25.

NOXIOUS WEEDS

c. N-9.1

Eradication of noxious weeds

26(1) If a council considers it impossible or inexpedient to enter into an agreement pursuant to section 23, the council may by bylaw:

- (a) authorize a weed inspector or another person to enter on, take possession of and occupy the land, but not the buildings on the land, with any persons, animals and machines that may be necessary to cultivate the land, sow and harvest crops on the land, destroy and eradicate noxious weeds and take any steps that may be necessary or expedient for those purposes;
 - (b) prohibit the owner or occupant from sowing or harvesting crops of any kind, pasturing animals on or otherwise using the land; and
 - (c) require that the owner or occupant use land or any part of it for pasture only and, for that purpose, authorize the reeve and administrator or the mayor and clerk to lease the land to any person on any terms and at any rental that is fixed by the bylaw.
- (2) When a bylaw mentioned in subsection (1) has been passed, the clerk or administrator shall give written notice of it to each owner and occupant of land affected by it.
- (3) No municipality shall possess, occupy or lease land pursuant to a bylaw passed pursuant to subsection (1) for any period longer than five years, and at the end of five years from the first entry on the land shall yield up possession and occupation of the land and permit the person entitled to it to re-enter.
- (4) If a municipality enters into possession and occupation of land pursuant to a bylaw passed pursuant to subsection (1) and crops are harvested on the land, the municipality may retain and apply the whole or any portion of the proceeds of the sale of the crops:
- (a) firstly, on expenses incurred by reason of action taken pursuant to subsection (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) When land is taken possession of and occupied pursuant to subsection (1), the council may by bylaw authorize the expenditure of any moneys that it considers necessary for carrying into effect and completing any program for the destruction and eradication of noxious weeds mentioned in subsection (1).

1983-84, c.N-9.1, s.26; 2005, c.M-36.1, s.449.

Appeal against bylaw

27(1) An owner or occupant of land affected by a bylaw passed pursuant to section 26 may appeal to the minister against the bylaw after giving notice of the appeal to the clerk or administrator, as the case may be, of the municipality.

c. N-9.1**NOXIOUS WEEDS**

(2) Every notice of appeal is to be in writing, to set out the name and address of the appellant, a description of the bylaw, the location of the land affected and the ground of the appeal and to be mailed to the minister within 15 days from the date of receipt of the notice mentioned in section 26.

(3) The minister may dismiss the appeal or order that the bylaw does not affect the land or any designated portion of the land, and the land or portion of the land thereupon ceases to be affected by the bylaw.

(4) The minister shall cause notice of his or her decision pursuant to this section to be given to:

(a) the appellant; and

(b) the clerk or administrator, as the case may be, of the municipality.

(5) The decision of the minister pursuant to this section is final.

1983-84, c.N-9.1, s.27; 2005, c.M-36.1, s.449.

PART V**Cost of Destroying Noxious Weeds****Maximum expense permitted**

28(1) No expense may be incurred pursuant to section 18 for the destruction of noxious weeds in any year in excess of:

(a) \$80 per lot; or

(b) \$200 per acre or part of an acre if the noxious weeds being destroyed are situated on land that has not been subdivided into lots.

(2) No expense in excess of \$100 per acre, to a maximum of \$4,000, may be incurred in rural municipalities for the destruction of noxious weeds and in weed control measures on a quarter section of land in any year.

1983-84, c.N-9.1, s.28.

Recovery from owner or occupant

29(1) The amounts expended in work performed in the destruction of noxious weeds authorized by this Act may be recovered from the owner or occupant of the land in the same manner as rates and taxes.

(2) Every amount described in subsection (1) is to be immediately added to and forms part of the taxes on the parcel of land on which the work was done.

NOXIOUS WEEDS

c. N-9.1

(3) The clerk, treasurer or administrator, as the case may be, of each municipality in which any expenditure has been made for the destruction of noxious weeds shall, on or before November 30 in each year, notify every owner or occupant of land in respect of which an expenditure has been made of the amount chargeable against his land.

1983-84, c.N-9.1, s.29; 2005, c.M-36.1, s.449.

Certificate of treasurer

30(1) A certificate purporting to be signed by the clerk, treasurer or administrator, as the case may be, of a municipality to the effect that an amount named in the certificate has been expended during any year for the destruction of noxious weeds on an area of land described in the certificate is admissible in evidence as prima facie proof that the amount named has been so expended, but, if the cost of the work exceeds \$100 per quarter section, the owner is entitled to receive a statement of the work done and a further statement, signed by a person authorized by the council, to the effect that he has personally inspected the property after completion of the work and finds that the work has been satisfactorily done and that the charge made is fair and just.

(2) A mortgagee is entitled, on application, to receive copies of the statements to which an owner is entitled pursuant to subsection (1).

1983-84, c.N-9.1, s.30; 2005, c.M-36.1, s.449.

PART VI Offences and Penalties

Obstruction

31 No person shall wilfully obstruct or delay the work of a weed inspector.

1983-84, c.N-9.1, s.31.

Protection of screenings

32 No person shall, for a period of more than five days, leave screenings containing noxious weeds exposed or unprotected at or near any place where grain has been threshed, nor shall any person place or leave any matter containing noxious weeds exposed or unprotected, except in a securely constructed building or other closed container, without having first destroyed their germinating qualities.

1983-84, c.N-9.1, s.32.

Machines containing noxious weeds

33 No person shall take or cause to be taken across a cultivated field any machine, implement or vehicle containing noxious weeds, or to which noxious weeds are adhering, without having first obtained the permission of the owner or occupant of the land.

1983-84, c.N-9.1, s.33.

Offence and penalties

34 Any person who:

- (a) contravenes any provision of this Act or the regulations for which no other penalty is specifically provided;
- (b) fails to carry out the terms of an agreement made pursuant to section 17 to which he is a party and for which he is responsible;
- (c) fails to comply with an order of a weed inspector; or
- (d) fails to comply with the conditions attached to a permit issued to him by a weed inspector or a clerk or secretary treasurer pursuant to section 21;

is guilty of an offence and liable on summary conviction to a fine of not more than \$500.

1983-84, c.N-9.1, s.34.

Disposition of fines

35 Every fine imposed as a result of a conviction for an offence against this Act within a municipality is payable to the municipality whose council takes the necessary steps to enforce the penalty.

1983-84, c.N-9.1, s.35.

PART VII**Miscellaneous****SERVICE OF ORDERS AND COMMENCEMENT OF WORK****Generally**

36(1) If an owner or occupant resides in the municipality, the weed inspector shall serve the order on him personally, and five days from the date of service is to be allowed in which to commence the work ordered.

(2) If an occupant resides outside the municipality but within Saskatchewan, the weed inspector may serve the order personally or the clerk or secretary treasurer may send the order by registered mail addressed to the occupant, and five days from the date of mailing or service is to be allowed in which to commence the work ordered.

(3) If, in the case of occupied land, an agent has been appointed as required by section 14 and the weed inspector has issued an order to the occupant, the weed inspector shall immediately transmit a copy of the order to the clerk or secretary treasurer who shall immediately mail it to the agent.

(4) If, in the case of unoccupied land, an agent has been appointed as required by section 14, the weed inspector shall transmit the order to the clerk or secretary treasurer who shall immediately mail a copy of the order by registered mail addressed to the agent, and 10 days from the date of mailing is to be allowed in which to commence the work ordered.

NOXIOUS WEEDS

c. N-9.1

(5) If, in the case of unoccupied land, an agent has not been appointed as required by section 14, the clerk or secretary treasurer shall send the order by registered mail, addressed to the owner, and 10 days from the date of mailing is to be allowed in which to commence the work ordered.

(6) Notwithstanding any other provision of this section:

(a) after July 1 in any year, in the case of perennial sowthistle, 72 hours from the time the notice is served is to be allowed in which to commence work, and notice may be served by telegram, in which case the time of despatching the telegram is the time of service;

(b) an order issued pursuant to section 17 is deemed to be properly served if it is left with some adult person at the residence of the occupant or sent by registered mail to the last known address of the occupant, and five days from the date of service or mailing is to be allowed in which to commence the work ordered.

1983-84, c.N-9.1, s.36.

Irrigation companies and drainage associations

37 Any order relating to land owned by an irrigation company or drainage association is deemed to be properly served if delivered or sent by registered mail to the appropriate secretary, superintendent, manager or ditch rider.

1983-84, c.N-9.1, s.37.

Railway companies

38(1) Any order relating to land owned by a railway company is deemed to be properly served if delivered or sent by registered mail to the section foreman concerned.

(2) The weed inspector shall, immediately after serving the order, advise the clerk or administrator, as the case may be, of the municipality of the service of the order, and the clerk or secretary treasurer shall thereupon give written notification of the service to the superintendent of the railway division in which the noxious weeds are found.

1983-84, c.N-9.1, s.38; 2005, c.M-36.1, s.449.

REGULATIONS

Regulations

39(1) Subject to subsection (2), the Lieutenant Governor in Council may make regulations prescribing any matter or thing that is required or authorized by this Act to be prescribed in the regulations.

(2) The minister may make regulations prescribing any matter or thing that is required or authorized by this Act to be prescribed by the minister in the regulations.

1983-84, c.N-9.1, s.39.

REPEAL

40 Dispensed. This section makes consequential amendments to another Act. The amendments have been incorporated into the corresponding Act.

SCHEDULE
Noxious Weeds
(Clause 2(g))

Repealed. 1998, c.29, s.5.