

SER-001-001

Strathcona County
Municipal Policy Handbook

Spraying for Pests on Rural County-owned Land

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Lead Role: Chief Commissioner

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Administrative Responsibility: Manager, Transportation and Agriculture Services
Manager, Planning & Development Services

Policy Statement

The outbreak of insect pests may prompt landowners in rural Strathcona County to employ pesticide application methods to control these pests. Due to the migratory nature of insect pests, it is necessary to treat all infested vegetation that is located within an area proposed to be sprayed. As Strathcona County owns tracts of land within most country residential subdivisions, the County may be approached for consent to allow spraying.

Pursuant to the Municipal Government Act a municipality may authorize the maintenance and protection of reserve land if the interests of the public will not be adversely affected. The purpose of this Policy is to establish a formal procedure to provide the County's written permission for pesticide application for the control of insect pests on County-owned lands:

- (a) when requested by Owners, and
- (b) where the County determines that the interests of the public will not be adversely affected.

1.0 Definitions

- 1.1 "Owner" means any person who is registered under the Land Titles Act RSA 2000, c. L-4 as the owner of land or any person other than the registered owner who is in possession of the property including, but not restricted to, a lessee, licensee, tenant or agent of the Owner.
- 1.2 "Permission to Spray" means the "Permission to Spray Rural County-owned Land for Pests" form available from Manager, Transportation and Agriculture Services for execution by the Pesticide Applicator granting permission to spray County-owned land.
- 1.3 "Pest" means an insect that is destroying or harming or likely to destroy or harm any land, livestock or property in Strathcona County, but does not include mosquitoes unless a public health issue arises.
- 1.4 "Pesticide Applicator" means a person certified by Alberta Environment to apply pesticides.
- 1.5 "Rural County-owned Land" means all land, including roads, of which Strathcona County is the registered owner and which lands are located outside of named hamlets and includes municipal reserve lands pursuant to the Municipal Government Act.

- 1.6 “Statement of Position” means a non-statutory petition in the form determined by the Manager, Transportation and Agriculture Services.

2.0 Responsibilities

- 2.1 The responsibilities of Transportation and Agriculture Services shall include:
- 2.1.1 advising any applicants of the Application and Approval Process required to obtain the County's consent for spraying of rural County-owned land;
 - 2.1.2 receiving, reviewing and responding to all requests for spraying of pests on Rural County-owned Land;
 - 2.1.3 specifying the type of insecticide and rate of application to be used in spraying activity on the Rural County-owned Land having regard to particular circumstances and location of the land;
 - 2.1.4 preparing Permission to Spray for review by the County's Planning & Development Services department and executing Permission to Spray Agreements where, upon review, it is deemed appropriate to grant permission to spray;
 - 2.1.5 overseeing spraying operations on Rural County-owned Land; and
 - 2.1.6 maintaining a record of all Permission to Spray for spraying Rural County-owned Land.
- 2.2 The responsibilities of Planning & Development Services shall include:
- 2.2.1 reviewing the Permission to Spray prepared by Transportation and Agriculture Services and providing advice to Transportation and Agriculture Services regarding the granting of permission to spray.

3.0 Pesticide Application Approval Process Guidelines

- 3.1 Should Owners within a subdivision or quarter section desire to spray Rural County-owned Land, then prior to the County granting permission for spraying of Insect Pests within that subdivision or quarter section, Transportation and Agriculture Services shall be provided with a Statement of Position signed by:
- 3.1.1 Sixty six (66%) per cent of the Owners within that subdivision or quarter section, and
 - 3.1.2 the approval of those Owners whose property lines abut the County-owned land whether or not such Owners are located within the subdivision or quarter section.
- 3.2 In the case where the County has issued a haying, grazing or cultivating license for the property, the Owners shall be required to obtain written consent of the licensee. Should the Owners not be able to obtain written consent, then Planning & Development Services shall review the substance of the non-consent and determine if spraying should proceed.
- 3.3 Transportation and Agriculture Services, upon receipt of the Statement of Position and being satisfied that all necessary Owners have endorsed it, shall prepare a “Permission to Spray” for execution by the Pesticide Applicator.
- 3.4 The Pesticide Applicator will be required to acknowledge and agree to the following:

- 3.4.1 To execute the permission to spray and obtain approval from Transportation and Agriculture Services prior to applying pesticides.
- 3.4.2 That Strathcona County shall not be liable for any cost for the application of chemical.
- 3.4.3 To assume sole responsibility for the application of pesticide chemical.
- 3.4.4 To provide a valid Alberta Pesticide Applicator's License number.
- 3.4.5 To provide information about the insecticide proposed for use and pest control product (P.C.P.) number and rate of application.
- 3.4.6 To indemnify and save harmless the County from any and all actions, claims, demands, suits or proceedings that may be brought against the County as a result of their actions.
- 3.4.7 To post the Rural County-owned Land with signs indicating that spraying of the parcel for pests will be occurring and that occupation on the land is prohibited during this period. The signs shall be located on the portion of land abutting any roadway and shall be of sufficient size to notify the public at large. The signs shall be spaced a maximum of 75 meters apart along any road frontage. The information signage to contain the following:
 - a. Date of application
 - b. Name, address and telephone number of applicator
 - c. Transportation and Agriculture Services phone number for further information.
- 3.4.8 To make two low level passes over the Rural County-owned Land if application is made by air to ensure that the property(s) is/are not being utilized by residents at the time of the application.
- 3.4.9 To notify Transportation and Agriculture Services a minimum of one (1) business day in advance of any proposed spraying.