

**Brazeau
County**

POLICY TITLE: No Spray Request
POLICY NUMBER: AG-23
REFERENCE: _____
APPROVED BY COUNCIL: August 10, 2004

POLICY STATEMENT

Brazeau County Agricultural Service Board may enter into an agreement with landowners or occupants requesting a "No Spray" area along the road right-of-ways.

POLICY

To address County "No Spray" area along right-of-ways adjacent to property they OCCUPY.

1. Brazeau County vegetation spray program is conducted with the objective to reduce the growth and spread of weeds, control the growth of brush, reduce snow accumulation problems, facilitate snow removal, aid in visibility for traffic safety and wildlife crossing roadways.
2. The "No Spray" Request offers residents an opportunity to opt out of municipal herbicide applications adjacent to the property they occupy and by way of an annual agreement (attached) assume the vegetation control objectives responsibilities within that specific area.
3. Applications, available at the County office, must be submitted annually, no later than May 1 of the year of request and expire September 30 of the same year.
4. There will be one application per location.
5. Letters will be sent out to remind previous years approved applications of the requirement for renewal.
6. Signage guidelines are as follows:
 - a) Approved applicants must purchase permanent "No Spray" signs from Brazeau County (see Schedule of Fees). The number of signs needed will be determined by the Agricultural Fieldman. An application is not valid without the signs.

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- b) Signs will be installed by County forces at no charge to the applicant.
 - c) Sign purchases are a one-time only cost to the applicant, and there is no renewal fee
 - d) Applicants whose request is not annually renewed will have their signs removed, and a refund issued only if they are in re-usable condition.
7. Residents adjacent to Primary or Secondary Highways must address their request to Alberta Transportation.
8. Brazeau County Agricultural Service Board reserves the authority to reject an application of a "No Spray" Request, if in the immediate necessity of vegetation control, it is not in the municipal interest to avoid herbicide application for that season

BRAZEAU COUNTY

**RIGHT-OF WAY
"NO SPRAY" REQUEST APPLICATION**

NAME: _____

ADDRESS: _____

PHONE NUMBER(S): _____

**LEGAL SUBDIVISION
OF APPLICATION FOR
"NO SPRAY" AREA** _____

Definitions

"Noxious Weeds" and "Restricted Weeds" means those weeds classified as such by Alberta Regulation 171/2001, as amended and made pursuant to the Weed Control Act, R.S.A. 1980, C. W-6, as amended.

Right-of-way – portion of roadway that lies between the centerline of the road and the boundary of the property line of the Applicant's occupancy.

Terms of Application

The Applicant hereby requests that Brazeau County refrain from using herbicides to control brush, restricted weeds and noxious weeds within the road right-of-way under its control and described as "No Spray" areas in the attached list. There will be one "No Spray" Request application per location.

1. The Applicant warrants that they are the owner or has an interest by reason of being an occupant in the lands described as "No Spray" area in the attached list. The Applicant warrants that they have the full power and authority necessary to make this application and comply with its terms.

initial

2. The Applicant agrees to destroy all restricted weeds and control all noxious weeds and brush in the "No Spray" areas to the standards required by Brazeau County.

initial

3. Should the Applicant fail to destroy restricted weeds, and control noxious weeds and brush to the standard acceptable to Brazeau County, Brazeau County may notify the Applicant or at any time and by any means, including the use of herbicides, undertake such activities as are necessary to achieve proper control of restricted weeds, noxious weeds and brush.

initial

4. The municipal right-of-ways shall not be used as buffer zones for sensitive areas or vegetation.

initial

5. Applications deadline is May 1 of the year of request, and expires September 30 of the same year.

initial

6. Unless this application is renewed by the Applicant, with the approval of Brazeau County, Brazeau County shall resume control of restricted weeds, noxious weeds, and brush in the "No Spray" area in accord with its standard practices.

initial

7. Approved applications will be required to purchase permanent "No Spray" signs at cost recovery set out in the Schedule of Fees, and comply with the signage guidelines and responsibilities outlined in the attached policy. Signs will be installed by County forces.

initial

8. Subject to the Applicant complying with the terms of this application, Brazeau County agrees to refrain from the use of herbicides within the "No Spray" areas.

initial

9. The Applicant agrees to indemnify and save harmless Brazeau County, its employees, agents and contractors from any and all claims, demands, actions, or costs of any claims, demands or actions, whatsoever, that may arise directly or indirectly out of the granting of this application by Brazeau County. further, the Applicant also releases Brazeau County, its employees, agents or contractors from any claims, demands, or actions that may arise directly or indirectly out of any unintended spraying of the "No Spray" areas by Brazeau County, its employees, agents or contractors.

initial

Signature of Applicant

Application Date: This _____ day of _____, 2002

Use Separate Application for more "No Spray" areas

cc. Director of Agriculture Services
Applicant

FOR OFFICE USE ONLY

Approved on behalf of Brazeau County _____

Date _____