

CITY OF BROOKS

BYLAW NO. 11/07

A BYLAW OF THE CITY OF BROOKS IN THE PROVINCE OF ALBERTA TO REGULATE AND CONTROL WEEDS.

Pursuant to the Weed Control Act, Statutes of Alberta, 2008 Chapter W-5.1, the City of Brooks enacts as follows:

SHORT TITLE:

1. This Bylaw may be cited as the "City of Brooks Weed Control Bylaw."

DEFINITIONS

2. In this Bylaw, unless the content otherwise requires:
 - a) "**Act**" means the Weed Control Act, Statutes of Alberta, 2008 Chapter W-5.1, as amended or repealed and replaced from time to time;
 - b) "**Bylaw**" means the City of Brooks Bylaw No. 11/07 as may be amended from time to time;
 - c) "**City**" means the City of Brooks, a Municipal Corporation in the Province of Alberta, or the geographical area contained within the boundaries of the City of Brooks, as the context may require;
 - d) "**Council**" means the Municipal Council of the City of Brooks;
 - e) "**Highway**" means any thoroughfare, street, road, trail, avenue, parkway, driveway, viaduct, lane, alley, square, bridge, causeway, trestleway or other place or any part of any of them, whether publicly or privately owned, that the public is ordinarily entitled or permitted to use for the passage or parking of vehicles and includes a sidewalk, including a boulevard adjacent to the sidewalk, if a ditch lies adjacent to and parallel with the roadway, the ditch, and if a highway right of way is contained between fences or between a fence and one side of the roadway, all the land between the fences, or all the land between the fence and the edge of the roadway, as the case may be, but does not include a place declared by regulation not to be a highway as defined in The Traffic Safety Act, R.S.A. 2000, Chapter T-6;

- f) “**Noxious Weed**” means a plant designated in accordance with the Weed Control Act, Statutes of Alberta, 2008 Chapter W-5.1 and regulations as a noxious weed and includes the plant’s seeds;
- g) “**Occupant**” means a person occupying or exercising control or having the right to occupy or exercise control over land;
- h) “**Owner**” means in respect of land, subject to Section 4 of this Bylaw, the person who is registered as an owner of the land under the *Land Titles Act*, or in respect of personal property, the person who is the legal owner of it, has lawful possession of it or has the right to exercise control over it;
- i) “**Prohibited Noxious Weed**” means a plant designated in accordance with the Weed Control Act, Statutes of Alberta, 2008 Chapter W-5.1 and regulations as a prohibited noxious weed and includes the plant’s seeds.

PLANTS DESIGNATED PROHIBITED NOXIOUS AND NOXIOUS WEEDS

- 3. That the list of plants within the municipality which are designated as prohibited noxious and noxious weeds as set out in Schedule “A” attached hereto and forming part of this Bylaw is hereby adopted by the Council for the City of Brooks in the Province of Alberta.

OCCUPANT OR OWNER OF LAND

- 4. The occupant or owner of any land within the boundaries of the City of Brooks, shall for the purpose of The Weed Control Act, 2008 Statutes of Alberta Chapter W-5.1 be considered to be the occupant of that portion of any highway that lies between the boundary of his land and the centre line of the highway.

SEVERABILITY

- 5. Should any provision of this Bylaw be found invalid, the invalid provision shall be severed and the remaining Bylaw shall be maintained.

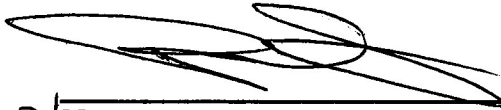
REPEAL OF BYLAW

- 6. That Bylaw 82/485 and all amendments thereto be hereby repealed.

EFFECTIVE DATE

7. This Bylaw shall take effect at the date of final passing thereof.

Read a first time this 13th day of June, 2011.

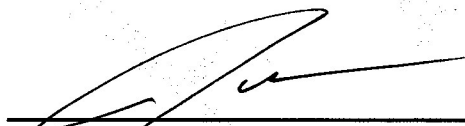


D | Mayor



Chief Administrative Officer

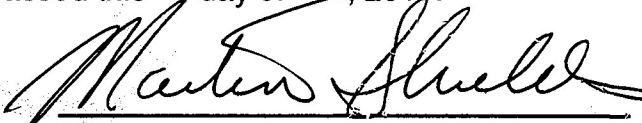
Approved by the Minister of Agriculture and Rural Development this/6 day of Aug, 2011.



Minister

Read a second time this 3rd day of Oct, 2011.

Read a third time and finally passed this 3rd day of Oct, 2011.



Mayor



Chief Administrative Officer

**City of Brooks
BYLAW NO. 11/07
SCHEDULE 'A'**

NOXIOUS WEEDS

Bladder campion – *Silene cucubalus* Wibel
Cleavers – *Galium aparine* L.
Knawel – *Scleranthus annuus* L.
Cypress spurge – *Euphorbia cyparissias* L.
Stork's bill – *Erodium cicutarium* (L.) L'Her
Persian darnel – *Lolium persicum* Boiss. & Hohen
Chickweed – *Stellaria media* (L.) Cyrill
Flixweed – *Descurainia sophia* (L.) Webb
Goat's beard – *Tragopogon dubius* Scop
Kochia – *Kochia scoparia* (L.) Schard
Round-leaved mallow – *Malva rotundifolia* L.
Redroot pigweed – *Amaranthus retroflexus* L.
Narrow-leaved hawk's-beard – *Crepis tectorum* L.
Russian thistle – *Salsola pestifer* (S. tragus)
Ground-ivy – *Glechoma hederacea* L.
Black medick – *Medicago lupulina* L.