

P O L I C Y



Department Agriculture	Policy No. AG (11)	Page 1 of 3
Policy Title CONTROL OF STUBBLE BURNING		

Council Resolution No.	Date:	Cross Reference Bylaw 759/91	Effective
------------------------	-------	--	-----------

A BY-LAW OF LACOMBE COUNTY, IN THE PROVINCE OF ALBERTA, PURSUANT TO SECTION 21 OF THE SOIL CONSERVATION ACT STATUTES OF ALBERTA 1988 AND AMENDMENTS THERETO, TO ESTABLISH A SYSTEM OF PERMITS CONTROLLING THE BURNING OF STUBBLE ON LAND.

WHEREAS Section 21(1)(a)(ii) (b) and (d) of the Soil Conservation Act gives authority to Council by By-Law to establish a system of permits controlling the burning of stubble on land.

WHEREAS it is deemed expedient and advisable for soil conservation purposes that a system of permits controlling the burning of stubble on land within Lacombe County be implemented.

THEREFORE THE COUNCIL of Lacombe County duly assembled enacts that:

1. In this By-Law:
Stubble means:

A stump of a cultivated plant left in the ground after cutting or harvest.

Summerfallow means:

Land ploughed, disced, cultivated, rotovated, harrowed or tilled frequently during the summer in preparation for crop the immediate year following.

Growing Season means:

Relating to, or suitable for that time of natural growth, allowing vegetation to develop from seed to maturity under normal atmospheric conditions.

Soil Conservation Officer means:

Any person appointed by the Council of Lacombe County as a Soil Conservation Officer pursuant to the Soil Conservation Act.

2. Except as otherwise provided in this By-Law, no person shall burn stubble on any land within the jurisdiction of Lacombe County without first obtaining a permit issued pursuant to this By-Law and any other permits required pursuant to provincial legislation.

P O L I C Y

Policy Title CONTROL OF STUBBLE BURNING	Policy No. AG (11)	Page 2 of 3
---	------------------------------	-----------------------

3. The Soil Conservation Officer may issue a permit or permits for the burning of stubble for the following:
 - a) Adverse physical properties of the stubble.
 - b) Excessive amounts of stubble.
 - c) Unusual conditions or circumstances at the discretion of the Soil Conservation Officer.
4. A permit for burning of stubble on lands within Lacombe County will not be issued for lands that will be summerfallowed during the growing season.
5. A permit shall have an expiry date as determined by the Soil Conservation Officer.
6. The Soil Conservation Officer may suspend, revoke or alter any permit.
7. A permit may be issued on a quarter section basis or any portion thereof at the discretion of the Soil Conservation Officer.
8. Any decision of the Soil Conservation Officer may be appealed in writing accompanied by a Fifty (\$50.00) dollar deposit directed to the County Commissioner of Lacombe County. An appeal shall be heard by an Appeal Board appointed by County Council. The Appeal Board shall render a decision within seven (7) days of receipt of the notice of appeal. A decision of the Appeal Board is final and binding. The Fifty (\$50.00) dollar deposit is refundable if the appeal is in the appellant's favour.
9. Any person who contravenes a provision of this By-Law is guilty of an offence and liable on a summary conviction as follows:
 - a) For a first offence, to a fine of not less than \$200.00 and not more than \$1,000.00 and in default of payment to imprisonment for a period not exceeding 30 days.
 - b) For a second offence, to a fine of not less that \$500.00 and not more than \$2,000.00 and in default of payment to imprisonment for a period not exceeding 30 days.
 - c) For a third offence, to a fine of not less than \$1,000.00 and not more than \$5,000.00 and in default of payment to imprisonment for a period not exceeding 30 days.

C/137/91
C/208/91
AC/15/91
:smb/Feb/96

Policy Title CONTROL OF STUBBLE BURNING	Policy No. AG (11)	Page 3 of 3
---	------------------------------	-----------------------

PERMIT TO BURN STUBBLE

Permit No. _____

In the matter of the Soil Conservation Act, being Chapter S-19.1, R.S.A. 1988 and amendments thereto;

And in the matter of Bylaw No. 759/91 of the Council of Lacombe County;

TO: _____ of _____ Alberta, being the owner/lessee of _____.

1. A permit is hereby granted for the burning of stubble, on approximately _____ acres of the above described land, and designated on the plot plan, subject to the conditions set out below:
 - a) Under no circumstances will this permit cover burning on land to be summerfallowed.
 - b) A fire permit is obtained pursuant to the Forests and Prairie Protection Act.
 - c) _____
 - d) _____
2. This permit is required pursuant to the Soil Conservation Act, being S-19.1, R.S.A. 1988 and amendments thereto.
3. This permit expires _____, 20____
4. Date of issue _____, 20____



Signed _____
Soil Conservation Officer