

BY-LAW NO. 759/91

A BY-LAW OF THE COUNTY OF LACOMBE NO. 14 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 the County of Lacombe No. 14 be implemented.

THEREFORE THE COUNCIL of the County of Lacombe No. 14 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 the County of Lacombe No. 14 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 the County of Lacombe No. 14 without first obtaining a permit issued pursuant to the By-Law and any other permits required pursuant to provincial legislation.
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 stubble on lands within the County of Lacombe No. 14 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.

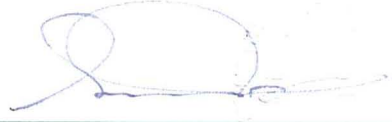
8. Any decision of the Soil Conservation Officer may be appealed in writing accompanied by a Fifty (\$50.00) dollar deposit directed to the Secretary-Treasurer of the County of Lacombe No. 14. An appeal shall be heard by an Appeal Board appointed by the County Council. The Appeal Board shall render a decision within seven (7) days of the 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 \$1000.00 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 than \$500.00 and not more than \$2000.00 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 \$1000.00 and not more than \$5000.00 and in default of payment to imprisonment for a period not exceeding 30 days.

Received first and second reading this 2nd day of May, A.D. 1991.

Received third reading and finally passed this 13th day of June, A.D. 1991.



Reeve



Secretary-Treasurer