

## Q&A: The Weed Control Act

The Government of Saskatchewan has put together the [following resource page](#) on Weed Inspectors in Saskatchewan. SARM has gathered supplementary information and created a Q&A document to further assist municipalities' understanding of their roles and responsibilities under *The Weed Control Act*.

### **1. Do municipalities have to appoint a weed inspector?**

- a) Municipalities may appoint any person as a weed inspector that they feel is qualified but they don't have to **unless** the municipality receives a signed petition.

### **2. What happens if you receive a petition?**

- a) The petition is valid if it is signed by at least 10 persons who are eligible voters in the municipality. The municipality shall then appoint a weed inspector at the next council meeting following receipt of the petition. A copy of the petition must be sent to the Director of the Crops Branch. For 24 months after the date a petition is received, the municipality will employ a weed inspector during the periods when weeds are likely to grow.

### **3. Are weed inspectors paid?**

- a) A weed inspector appointed by a municipality is to be paid any remuneration that the municipality may set. If the municipality neglects to pay a weed inspector then the Ministry of Finance pays the remuneration and that becomes a debt owing to the Government of Saskatchewan.

### **4. How long does a weed inspector hold their position?**

- a) A weed inspector holds office until December 31 of the year in which the appointment was made. The appointment may be terminated at an earlier date by notice in writing.

### **5. What happens if a municipality receives a petition but does nothing about it?**

- a) The Minister of Agriculture will give written notice to the municipality to appoint a weed inspector. If the municipality does not respond within 10 business days then the Minister may appoint a weed inspector, determine

the duration of the appointment and the remuneration to be paid by the municipality.

**6. Do municipalities have to notify anyone when they appoint a weed inspector?**

- a) Yes, the municipality must notify the Director of the Crops Branch and provide contact information for the weed inspector.

**7. What is the role of weed inspectors?**

- a) Enforce *The Weed Control Act*.
- b) Enter onto private property (except for dwellings) to inspect for prohibited, and noxious weeds, as well as Nuisance Weeds in response to a complaint.
- c) Issue Agreements or Orders for the Eradication of prohibited Weeds and isolated noxious weeds, or Containment and Integrated Control of established noxious weeds as well as Integrated Control measures of Nuisance Weeds.
- d) Arrange for the appropriate measures to be taken by the municipality, if Orders or Agreements issued regarding prohibited, Noxious or Nuisance Weeds, are not complied with in the time required.
- e) Issue permits for the movement of machinery, domestic animals or other material that may be contaminated with prohibited or noxious weeds under conditions that the weed inspector may allow.
- f) The secondary role of the weed inspector is to co-ordinate overall invasive weed management in a municipality. By working with individuals, businesses, governments and other organizations, the weed inspector can ensure that all prohibited and noxious weeds are controlled by all land owners, and no uncontrolled infestations remain.
- g) The weed inspector can also contribute to reduced weed problems and costs by raising awareness of prohibited and noxious weeds with residents of the municipality, and coordinating local biological control activities.
- h) Provide reports to the municipality on inspections as requested by the municipality and provide an annual report to the municipality before November 1 each year and the municipality will submit the report to the Director no later than December 31 of that year.

**8. What authority do weed inspectors have?**

- a) Under *The Weed Control Act*, weed inspectors may enter land and enter premises, other than a private dwelling, for the purposes of performing

their duties. Owners or occupants of land must give the weed inspector a reasonable opportunity to inspect for prohibited and noxious weeds.

**9. What happens when a weed inspector finds noxious weeds?**

- a) The weed inspector must consult with the owner or occupant of the land. They are to discuss measures to eradicate and control the weeds; the owner or occupant may then be ordered to follow the directives of the weed inspector. An agreement may cover the year in which the agreement is made and the following 2 years.
- b) The owner or occupant may come to an agreement with the weed inspector to eradicate the weeds. If the agreement is not fulfilled within 5 business days after the agreement coming into effect then the weed inspector may take the necessary steps to perform the work him or herself.

**10. What happens if the owner or occupants are not home and/or an agreement is not made?**

- a) If the land is located in a rural municipality and the weed inspector has failed to locate the owner or occupant after two visits on two different days or if they fail to come to an agreement, an order may be issued. If the weeds are not resolved in 5 business days from issuance of the order the weed inspector may take the necessary steps him or herself.

**11. How long is an agreement or order valid for?**

- a) They may cover the year in which they are made and the following 2 years.

**12. What if there are noxious weeds in crops?**

- a) A weed inspector cannot order the destruction of a crop unless there is an infestation of a prohibited weed. In the case of a noxious weed, the infestation must be equal or less than 5 hectares per quarter section and the reeve and councillor for that division have consented to the order for the destruction of the crop.

**13. What if weed inspectors do not fulfill their duties?**

- a) Municipalities are responsible for any negligence of its weed inspectors in the performance of their duties.

**14. Are weed inspectors required to submit reports?**

- a) Yes, weed inspectors must submit written reports as requested by the municipality. An annual report is required to the municipality by November 1 of each year and the municipality must then submit the report to the Director of the Crops Branch by December 31 of that same year.