

FORM 2

(Section 6(1))

NOTICE TO CONTROL PESTS

Agricultural Pests Act

PEST AND NUISANCE CONTROL REGULATION

To (owner or occupant of land or property or owner or person in control of livestock)

_____ of (address) _____

You are hereby notified that (description of land or livestock or other property) _____ located on the _____ quarter of section _____ township _____ range _____ west of the _____ meridian, Alberta, as indicated on the diagram below, contains or is likely to contain or should be protected against (name of pest) _____, which has been declared a pest by the Pest and Nuisance Control Regulation made under the Agricultural Pests Act, and you are directed to take the following measures:

(description of measures to be taken, including the material, if any, to be used against the pest)

NW	NE	_____
SW	SE	_____

All of the above measures must be completed within _____ days from the date of issue of this notice, failing which action may be taken in accordance with the legislation referred to above. This notice is issued under section 12(1) of the *Agricultural Pests Act*. An appeal against this notice may be served on the municipal secretary, accompanied by a deposit of \$100, before the expiry of the time limit stated above or the period of 10 days from service of the notice, whichever expiry date occurs first, and otherwise made in accordance with the *Agricultural Pests Act*.

Date of Issue: _____

Inspector: _____

Telephone Number: _____

File No.: _____

(Reprinted from the Agriculture Pest Act)

Duty of individual

5(2) An owner or occupant of land or property or the owner or person in control of livestock shall take active measures to

- (a) prevent the establishment of pests on or in the land, property or livestock unless otherwise authorized by the Minister,
- (b) control or destroy all pests on or in the land, property or livestock unless otherwise authorized by the Minister, and
- (c) destroy any crop, vegetation or other matter that contributes or may contribute to the maintenance or spread of a pest on or in the land, property or livestock.

Appeal to local authority

14(1) A person who

- (a) has an interest in land as an owner or occupant, or
- (b) has an interest in livestock as an owner or person in control

of livestock and feels personally aggrieved by a notice issued by an inspector under section 12 may appeal to the local authority of the municipality within which the land or livestock is located by filing a notice of appeal under this section.

(2) A notice of appeal shall be in writing and shall set out

- (a) the name and address of the appellant,
- (b) a copy of the notice in respect of which the appeal is being taken,
- (c) the legal description of the land affected or a description of the livestock affected and the legal description of the land on which the livestock were located, and
- (d) the grounds for appeal.

(3) A notice of appeal shall be served on the municipal secretary

- (a) by any of the methods set out in section 12(3), and
- (b) within the time specified in the notice issued under section 12 for taking any measure, or within 10 days after service of the notice, whichever is less.

(4) A notice of appeal shall be accompanied with a deposit in an amount set out in the regulations which shall be refunded if the appellant is successful in the appellant's appeal under this section or in a review under section 15.

(5) A local authority shall at the beginning of each calendar year appoint a committee to hear and determine appeals under this section and on receipt of a notice of appeal a local authority shall refer the appeal to that committee.

(6) Within 5 days after receipt of a notice of appeal, the committee shall hear and determine the appeal and the committee may confirm, rescind or vary the notice that was issued.

(7) The municipal secretary shall, on determination of the appeal, send a copy of the decision together with the written reasons, if any, by double registered mail or certified mail to the appellant.

Review by Minister

15(1) An appellant who is dissatisfied with the decision of a committee under section 14 may, within 3 days after the appellant receives a copy of the decision, request a review of the decision or a part of it by the Minister.

(2) The Minister may confirm, rescind or vary the decision of the committee.