

SECTION: AG SERVICE BOARD

SUBJECT: SOIL CONSERVATION AND
EROSION DIRT CLEANUP CHARGES

Original Resolution No.: 01-11-13

Revision Resolution No.: 04-07-37

Soil Conservation

The purpose of this policy is to define how and when soil conservation notices will be issued and include the following:

- a. Notices will be issued at the discretion of the Ag Fieldman under the provision as outlined under the current Provincial Soil Conservation Act and a copy of this policy will be attached to the notice.
- b. When a notice is issued and the landowner fails to comply, remedial work will be carried out, either by County staff or a contractor and the charges will be applied to the owner.
- c. Where payment is not received for the remedial work, including work performed under this policy, the total amount shall be placed on the tax roll and additional taxes against the land concerned.
- d. Notice of Appeal must be served to the local authority within 72 hours of the notice.

Charge Back for Erosion Dirt Cleanup

General Provisions

In an effort to encourage landowners to combat soil erosion, the County of Warner has laid out in this policy, a procedure which will allow for the owner of the land who allows their property to be subjected to soil erosion to the degree that the eroded soil is deposited on public roadways and drainage ditches, that they will be responsible for the costs incurred for cleaning up the public property.

Conditions of Notification of Charge Back

1. Any landowner who is served a notice under the Soil Conservation Act will also be served a copy of this policy.

Conditions for Charge Back

1. The landowner will be forwarded a notification of impending clean out work to be undertaken, along with an estimate of the cost of the project. Commencement of the cleanup project by the County of Warner will take place within a 90 day period.
2. Upon completion of the clean out project, the costs for the said work will be calculated at current government rates and the landowner who was notified under the notification procedure and is responsible for providing the eroded material, will be issued an invoice for the cost of the cleanup.

3. The landowner who receives the invoice for the cost of the cleanup will be subject to all penalties and interest charges if the invoice is not paid prior to its due date.
4. All outstanding invoices exceeding 120 days will be presented to County Council with an administrative recommendation for the invoices to be placed on the tax roll and collected as though it were taxes.

Appeal Procedure

1. Any landowner who received a notice or invoice under the terms of this policy has the ability to submit a written appeal to the Soil Conservation Appeal Committee of the County of Warner within 10 working days of the issuance of the notice or invoice.
2. When a written appeal is submitted to the Committee, the Committee will provide for a public hearing into the appeal where neighboring landowners and the appellant will have the opportunity to present their input to the Committee.
3. After the public hearing, the Committee will render a decision within 10 days of the hearing and the Appellant and the neighbouring landowners will be notified of the decision in writing.