

Spray Exemption Agreement

MEMORANDUM OF AGREEMENT made this _____ day of _____ A.D., 20__

BETWEEN

BIG LAKES COUNTY
A Municipal Corporation in the Province of Alberta
(hereinafter referred to as the "County")

OF THE FIRST PART

AND

(hereinafter referred to as the "Owner or Lessee")

OF THE SECOND PART

WHEREAS the Owner or Lessee is the owner, purchaser, or lessee of the following land:

(Legal Description)
(Rural Address Sign)
(Mailing Address)
(Phone)
(Name of Landowner)

and

WHEREAS the Owner or Lessee has requested to opt out of the Big Lakes County seasonal herbicide application on municipal road right-of-way(s) adjacent to their property.

NOW THEREFORE the County and the Owner or Lessee for the consideration hereinafter named, agree as follows:

DEFINITIONS

1. In this agreement
 - a) "Prohibited Noxious Weeds" are those weeds designated as such by the Provincial Government of Alberta in accordance with the Weed Control Act, R.S.A. 2008, c. W-5.1 and the Weed Control Regulation 19/2010, and any amendments or successor legislation thereto.
 - b) "Noxious Weeds" are those weeds designated as such by the Provincial Government of Alberta in accordance with the Weed Control Act, R.S.A. 2008, c. W-5.1 and the Weed Control Regulation 19/2010, and any amendments or successor legislation thereto.

TERMS & CONDITIONS

1. I understand that the Spray Exemption Agreement is an option to opt out of the Big Lakes County seasonal herbicide application on municipal road right-of-way(s) adjacent to my property.
2. I acknowledge my duty to maintain that portion of the municipal roadway that lies between the boundary of my property and the centerline of the roadway, ensuring it remains free from all Noxious or Prohibited Noxious weeds; and brush and/or tall vegetation which may interfere with motorist sightlines. I acknowledge my duty to ensure that, at all times:
 - a. Prohibited Noxious weeds are completely destroyed;



- b. Noxious weeds are controlled (prevented from flowering); and
 - c. Brush and tall vegetation shall be reasonably controlled within a maximum height of 1.5 metres.
3. I understand that adequate control measures are to be completed by no later than July 15 of the current calendar year.
 4. I understand and agree that if, at any time, Noxious or Prohibited Noxious weeds or brush/tall vegetation persist within the municipal right-of-way and are determined by the Agricultural Fieldman or the Fieldman's designate to be unacceptable, Big Lakes County reserves the right to take whatever steps are deemed necessary to control these weeds, which may include herbicide application.
 5. I understand and agree that municipal right-of-way(s) shall in no way substitute for buffer zones for sensitive area(s) or vegetation designated for Organic production.
 6. I understand and agree that, whereas an occupant requests a Spray Exemption Agreement for a property, the signature of the registered landowner is required.
 7. I understand that this signed Spray Exemption Agreement is intended to be long-term. Applications must be received prior to May 1st for participation in the agreement for that calendar year. Big Lakes County will continue to treat property as being a part of the Spray Exemption Agreement until notified differently.
 8. I agree to indemnify Big Lakes County from all liability, claims, damages, and actions whatsoever, arising out of any breach of any representation, warranty, undertaking, or obligation on the part of Big Lakes County contained in this Agreement. This Agreement constitutes the entire agreement between the parties, and no other warranties are given or implied.

IN WITNESS HEREOF, the parties hereto have hereunto set their hand to this Agreement the day and year first above written.

SIGNED AND DELIVERED
in the presence of:

WITNESS SIGNATURE

OWNER OR LESSEE SIGNATURE

PRINTED NAME OF OWNER OR LESSEE

Adjacent roadways include: TWP Rd: _____
RGE Rd: _____

Roll #

FOR OFFICE USE ONLY

NO. SIGNS ISSUED: _____ DATE ISSUED: _____

SIGNS INSTALLED BY: _____
Please Print Signature

COMMENTS: _____

The personal information on this form is being collected for the purpose of handling spray exemption agreements under the authority of the Freedom of Information and Protection of Privacy (FOIP) Act and is protected by the FOIP Act. If you have any questions about the collection, contact the Big Lakes County FOIP Assistant at phone (780) 523-5955.