	<b>MUNICIPAL DISTRICT OF PEACE NO. 135</b>	
<b>PREPARED BY:</b> Nasar Iqbal  <b>REVISED BY:</b>	<b>ADOPTED BY:</b>  COUNCIL	<b>NUMBER:</b> ASB – 16  Page 1 of 2
<b>TITLE:</b> Municipal Right of Way Spraying and Spray Drift	November 15, 2022	


This policy aims to establish clear guidelines for spraying municipal right of way and protecting the adjacent properties from spray drift in the Municipal District of Peace No. 135.

- a. The manageable municipal right of way includes any right of ways such as developed roads, drainage ditches, or a municipal reserve.
- b. Municipal roads are either 66 feet wide, which includes 24 feet of road top, and each ditch is 21 feet, 100 feet wide, and the road from HWY 2 to Lac Cardinal has 150 feet right of way.
- c. The producer should learn about the right of way width adjacent to their property by contacting the Municipal office.

#### **Guidelines:**

##### **1. Municipal Right of Way Spraying and Use**

- a. The public can access the right of way in the Municipality at their own risk.
- b. Landowners adjacent to the Municipal right of way (ROW) should be aware that public usage is allowed and may occur. Any attempt by the landowner to use ROW for personal gains is at their own risk, and the Municipality takes no responsibility for using it.
- c. All municipal roads shall be sprayed as part of a two-year rotation using an appropriate broadleaf herbicide.
- d. Municipal staff will not spray about 5 feet of ROW adjacent to private property to treat it as a buffer zone to avoid spray drift. However, producers have the option to get this zone sprayed by signing up for the fenceline spray program.
- e. Municipal staff will not spray when the temperature is more than 25 degrees centigrade, relative humidity is less than 40 percent, and wind speed is more than 20 km/hour.
- f. Growing and harvesting crops shall not occur within the manageable municipal right of way.
- g. Anything undesirable found within the manageable municipal right of way may be removed as part of the Municipality's rights of way maintenance programs in a manner deemed acceptable by the Manager of Ag Services or Public Works Foreman.
- h. Any losses or expenses incurred by the landowner due to the crop being removed will be borne by the landowner adjacent to the area.

	<b>MUNICIPAL DISTRICT OF PEACE NO. 135</b>	
<b>PREPARED BY:</b> Nasar Iqbal  <b>REVISED BY:</b>	<b>ADOPTED BY:</b>  COUNCIL	<b>NUMBER:</b> ASB – 16  Page 2 of 2
<b>TITLE:</b> Municipal Right of Way Spraying and Spray Drift	November 15, 2022	

- i. Any subsequent losses by the landowner due to the method of removal will be the responsibility of the landowner adjacent to the area.
- j. The landowner will bear any cost from damage to the vegetation or restoration of vegetation in the manageable municipal right of way.

## 2. Corrective Actions When Spray Drift Happens

When the crop is damaged by spray drift due to Municipal right-of-way spraying, the Manager of Ag Services will:

- a. After receiving the complaint and/or information about spray drift from any source, the Manager of Ag Services will set up a meeting at the site with the affected property owner and quantify the damage caused by the drift.
- b. The Manager of Ag Services, along with the complainant, will determine whether the property owner is encroaching on the manageable Municipal ROW or not after confirming road width info from the Municipal office.
- c. If encroachment is established, the property owner will be informed politely that the Municipality will not pay any compensation because he has accrued benefits due to encroachment.
- d. The Manager of Ag Services will work with the insurance company or the Municipality for reasonable compensation upon concluding that the negligence of the Municipal staff was the only reason for the spray drift damage.