

SMOKY LAKE COUNTY



Title: Hay Permits on County Right-of-Way	Policy No.: 08-01
Section: 62	Code: P-R
Page No.: 1 of 3 E	

Legislation Reference:	Alberta Provincial Statutes
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Purpose:	To provide a guideline for removal of hay within municipal right of way.
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Policy Statement and Guidelines:

1. STATEMENT:

- 1.1 Smoky Lake County may allow right-of-ways within its jurisdiction to be cut for hay where it does not interfere with county operations.

2. DEFINITION:

- 2.1 "**Permit**" means a hay cutting permit.
- 2.2 "**Zone**" means a hay cutting limit outlined in the cutting zone diagram.

3. GUIDELINE:

- 3.1 To establish an organized procedure to allow haying within the right-of-way to occur.

4. PROCEDURE:

- 4.1 Applicants shall submit **Schedule "A": Request for Hay Permit.**
 - 4.1.1 The application **MUST** be submitted before June 1st of each year or your request to cut hay within the municipal right-of-way will be denied. The application will be submitted at no charge from the County.
- 4.2 Approved Permits are only valid from June 15th to August 1st, and baled hay must be baled and removed within seven days of cutting.
- 4.3 Bales not removed after seven days shall, at the discretion of county administration invalidate the permit and be removed by the County, with no liability to the County, under section 545 of the Municipal Government Act, and at the expense of the permit applicant.
- 4.4 Any hay cut along the right-of-way without permit is subject to removal, destruction or any other effect by County activity without liability or obligation by Smoky Lake County.

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Policy Statement and Guidelines:	
4.5	A permit may be cancelled or denied under the following circumstances: <ul style="list-style-type: none"> • Spraying schedule priorities for vegetation control on that specific right-of-way cannot be deferred to after the haying period. • Road construction, repair, gravelling or any other maintenance activities are scheduled during the permit period. • Previous permit approvals did not comply with policy.
4.6	Permits may be cancelled at any time by Smoky Lake County in circumstances where the right-of-way takes priority. No liability or obligation will be incurred by the County.
4.7	By signing the permit the permittee hereby agree to, in consideration of the benefit derived by me (us) from the work description above shall indemnify and save harmless the <u>SMOKY LAKE COUNTY</u>, its Councillors, officers, employees, and agents from any claim, damages, liability, cost, fee, penalty, action, cause of action, demand, damage to property, injury to person or death (including, without limitation to, legal fees of <u>SMOKY LAKE COUNTY</u> on a solicitor-client full indemnity basis), that may arise directly or indirectly out of the performances of the above described work(s).

	Date	Resolution Number
Approved	November 4, 2015	# 104-15 - Page # 11983
Amended		
Amended		



SCHEDULE "A"

REQUEST FOR HAY PERMIT

Applicant Name: _____

Date of Application: _____ Telephone: _____

Mailing Address: _____

Homestead location: (Legal Property): _____
Section Quarter Township Range Median

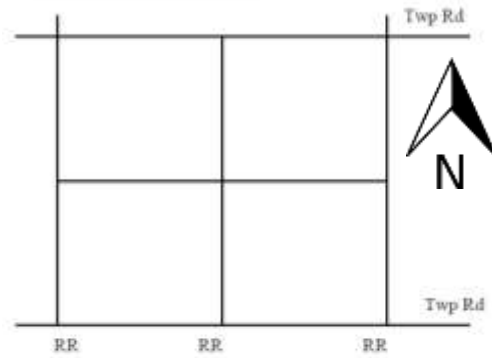
Hay Permit location: (Legal Property): _____
Section Quarter Township Range Median

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Section Quarter Township Range Median

Hay Permit location: (Legal Property): _____
Section Quarter Township Range Median

In consideration of granting this permit, the following conditions apply:

1. Up to June 1, priority will be given to applications received from landowners for the purpose of cutting hay along County right-of-way adjacent to their land. Applications received after June 1 cannot be guaranteed to be free of herbicide application.
2. Approved permits are valid only from June 15 to August 1. All haying operations must be completed by this time.
3. Baled hay must be removed within 7 days of cutting. Permitted bales not removed after 7 days shall, at the discretion of the County, invalidate the permit and be removed by County forces with no liability to the County.
4. Approved permits will be noted by the appropriate County personnel conducting right-of-way and road management.
5. Permits may be cancelled at any time by the County with no liability or obligation of the permit holder.
6. The permit holder indemnifies and saves harmless the County from any claims arising from his/her operations.
7. The permit holder will carry out haying operations in a manner creating no hazard to vehicular traffic.
8. The permit holder will not sublet or sell the rights granted under this permit.
9. The permit holder will satisfy himself as to the presence of herbicides or pesticides.
10. The County reserves the right to enter upon the right-of-way described in this permit for the purposes of weed control, roadside maintenance or any other reason whatsoever.



CUTTING ZONE DIAGRAM

I, _____ have read the Smoky Lake County Hay Permits for County Right-of-Ways Policy. I understand and accept the terms and conditions of the policy and of this permit.

Permittee Signature

Date

Agricultural Fieldman

Date