

Subject: **AGRICULTURAL SERVICE BOARD ORDERS**

Date Issued **2010 12 22**

BACKGROUND

The duties of an agricultural service board are to advise on the organizing and directing of weed control, soil and water conservation programs also to assist in proper land utilization, with a view to improving the economic welfare of the farmer, and to promote and develop agricultural policies to meet the needs of the municipality. (1)

The council of a municipal district, or in the case of special areas the Minister of Municipal Affairs, may establish agricultural service boards. (2) The board has the right to declare land subject to supervision and may if necessary recommend that the control of the land be taken from the owner and occupant and issue an order of reclamation. (3)

REGISTRATION PROCEDURE

1. Upon receipt of written notice (FORM A) the order is registered against title. (4) Use document type ORDE with PF16 to include the particulars:

"AGRICULTURAL SERVICE BOARD ORDER"

2. Notice of registration is sent by registered mail to: registered owners, caveators and mortgagees at the addresses for service, as they appear on title. (5) The examiner must do this manually.

The notice has priority over all registrations other than tax notifications and irrigation and drainage rates. (6) The title may not be cancelled except under the Municipal Government Act and will remain subject to the notice (e.g., tax forfeiture, irrigation adjudication). (7)

A. DISCHARGE

When the board decides that the land subject to the order has been rehabilitated and reclaimed sufficiently to justify its return to the registered owner, it shall rescind the order. (8)

1. Upon receipt of a notice (FORM B) Land Titles will discharge the order, (use document type DISO on ALTA). (9)

2. A copy of the notice of cancellation is sent by registered mail to all registered owners, caveators and mortgagees at the addresses that appear on title. (10)

B. **LAPSE**

An order or by-law will lapse on the January 1st following three full crop years after the date on which it was passed or after the date on which it was confirmed by the highest appeal court. (11) This can be done by

1. A request on the Board's letterhead setting out the applicable dates and requesting the Registrar to cancel the memorandum on title, or
2. A letter from the registered owner or their lawyer which sets out the applicable dates, indicates that the time period set out in section 15(3) has expired and requesting the Registrar to cancel the memorandum on title.

STATUTE AND CASE REFERENCES

Statute references are to the Agricultural Service Board Act, R.S.A. 2000, c. A-10.

1. s. 2
2. s. 3
3. s. 12
4. s. 12(4)(a)
5. s. 12(4)(b)
6. s. 12(5)
7. s. 12(6)
8. s. 15(1)
9. s. 15(2)(a)
10. s. 15(2)(b)
11. s. 15(3)