

R.M. OF CANWOOD NO. 494			
Section:	Road System Policies	Policy No.	7.04
Subject:	COMPENSATION CLAIMS FOR CROP DAMAGE	Page:	Page 1 of 2
Issued by:	Council Resolution No. 14	Dated:	October 19, 2015

1 POLICY

1.1 This policy is developed to provide for the compensation of crop damages incurred through the construction of any municipal public work.

2 PURPOSE

2.1 The purpose of this policy is to establish a consistent standard of compensating landowners who suffer crop damage, or are unable to seed acres that are normally productive, because of the construction of any municipal public work.

3 SCOPE

3.1 This policy applies to all employees, councillors, contractors, landowners, and ratepayers.

4 RESPONSIBILITY

4.1 The Councillor is responsible for completing an Agreement to Enter Upon Land for the removal of clay for road construction projects.

4.2 The Councillor is required to document where crop loss will be suffered for every road project and must inspect the construction site with the Public Works Supervisor and report to Council on the work being completed.

5 REFERENCES AND RELATED STATEMENTS OF POLICY & PROCEDURE

7.01 Road Construction Specifications
7.02 Approach Construction

Average Crop Prices
<http://www.agriculture.gov.sk.ca/markettrends>

Average Crop Yields by R.M.
<http://agriculture.gov.sk.ca>
Search: average crop yields by R.M.

Unseeded Acreage Coverage
<http://www.saskcropinsurance.com>

6 PROCEDURE - CONSTRUCTION

6.1 Compensation rates for damaged or unseeded acres shall either be:

- a) Specified within a written Agreement to Enter Upon Land, Attachment A, between the landowner and the Municipality; or
- b) Calculated using the Average Crop Prices and Yields as outlined by the Saskatchewan Department of Agriculture and the Unseeded Acreage coverage amount as outlined by the Saskatchewan Crop Insurance Corporation, current at the time damages were incurred, as follows:

Damaged area (in acres) x Average crop yield x Average crop price

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Eligible unseeded area (in acres) x unseeded acreage coverage amount
Where eligible acres are the acres that the landowner normally seeds that remain unseeded by June 20 because of the construction of any municipal public work.

- 6.2 Claims shall be filed in writing on the Crop Damage Compensation Claim Form, Attachment B, with particulars of the claim, within one year of the date that damages were sustained, or in the case of unseeded acres, by June 20th of the year following the year that the acres were left unseeded.
- 6.3 If the landowner does not agree to the compensation rates, as provided above, he/she may seek any such remedy provided pursuant to Section 346 of *The Municipalities Act, 2005* Attachment C.
- 6.4 That the **R.M. of Canwood No. 494** cannot guarantee that production of the land where clay is removed will be equal to production prior to the removal of the clay.

7 ATTACHMENTS

- Attachment A – Agreement to Enter Upon Land
- Attachment B – Crop Damage Compensation Claim Form
- Attachment C – Section 346, *The Municipalities Act, 2005*