

Rural Municipality of Coteau No 255  
Box 30  
BIRSAY, SK S0L 0G0  
Phone: (306)573-2047  
Email: [rm255@sasktel.net](mailto:rm255@sasktel.net)

February 19, 2026

RE: Letter to Irrigators

The purpose of this letter is to bring to the attention of those ratepayers with irrigated land a concern on the part of Council with roads being watered by irrigation equipment.

While owned by the Crown, all roads within the RM (except those designated as provincial highways) are under the direction, control and management of the RM, by virtue of section 12 of *The Municipalities Act*.

The RM strives to keep these roads in a reasonable state of repair, so that those who need to use them can do so safely.

When a municipal road is watered by irrigation equipment, it can result in a hazardous road surface, putting those who use the road at risk of harm.

Because of this, and because the RM can be held civilly liable should someone sustain damage as a result of a road being in disrepair, it is essential that all irrigators ensure that their irrigation equipment is not watering municipal roads.

With that in mind, Council adopted Bylaw No. 5-2022, being a Bylaw to prohibit the watering/irrigating of municipal roads.

Section 1 a) of RM Bylaw No. 5-2022, which reads as follows:

No person shall cause municipal roads to be watered by irrigation.

This would also constitute an offence pursuant to section 34(1) of *The Highways and Transportation Act, 1997*, which reads as follows:

No person shall break, cut, fill or otherwise alter or damage a public improvement.

[The term "public improvement" is defined in clause 2(r) of *The Highways and Transportation Act, 1997* to include a "public highway", which term includes all road allowances under the direction, control and management of the RM.]

The practice of the RM has been to have the Councillor for the division contact the irrigator when this occurs and give them an opportunity to remedy the problem. Most irrigators have dealt with the problem in a timely manner, and this is appreciated. However, there have been instances where an irrigator has not addressed the problem, as well as instances of repeated occurrences at the same location.

Irrigators need to be aware that the RM reserves the right to prosecute in any instance and particularly in the case of repeat offenders. While the RM would prefer not to go that route, the interests of public safety require that something be done.

Two further points to consider.

First, if a road is damaged as a result of having been watered by irrigation equipment, the RM can look to the person responsible to recover the cost of any needed repairs to the road.

Reference must be made in this regard to section 34(2) of *The Highways and Transportation Act, 1997*, which provides that "the owner or operator of a vehicle and the owner of a building or object who break, cut, fill or otherwise alter or damage a public improvement are liable for the damage caused and shall reimburse the authority having the management and control of the public improvement for the costs of repairing the public improvement".

As the RM has the direction, control and management of these roads, the RM can and will look to the person responsible for damaging a municipal road to reimburse the RM for the cost of repairing the same.

Second, if someone was to sustain damage as a result of a road being in disrepair due to having been watered by irrigation equipment, and the RM is sued as a result, the RM will look to the person responsible to indemnify it for any amount it may be required to pay.

If you have any questions or concerns, please contact Reeve Terry Sieffert at 306-728-9397 or the municipal office.

Sincerely,

A handwritten signature in blue ink that reads "L Hargrave".

Lindsay Hargrave  
Administrator

**RM OF COTEAU NO. 255  
BYLAW 5-2022**

A Bylaw to prohibit the watering/irrigating of municipal roads.

The Council of the RM of Coteau No. 255, in the Province of Saskatchewan, enacts as follows:

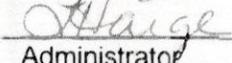
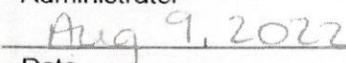
**1. Regulations**

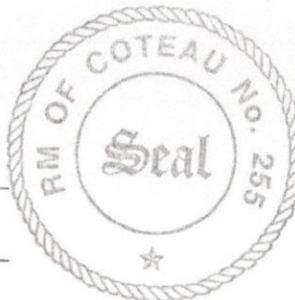
- a) No person shall cause municipal roads to be watered by irrigation.

**2. Offences and Penalties**

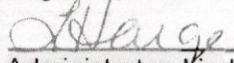
- a) Where the Bylaw Enforcement Officer believes that a person has contravened any provision of this Bylaw, he/she may serve upon such person a Bylaw Violation Notice (attached Schedule "A") either personally or by mailing or leaving same at the last known address for such service shall be adequate for the purpose of this Bylaw.
- b) Such notice shall be deemed to have been served:
  - i. on the expiration of twenty four (24) hours after it is posted, if the notice is mailed; or
  - ii. on the day of actual delivery, if the notice is served personally.
- c) A Bylaw Violation Notice shall state the section of the Bylaw that was contravened and the voluntary payment amount that will be accepted by the RM of Coteau No. 255 in lieu of prosecution.
- d) Upon production of a Bylaw Violation Notice issued pursuant to this Bylaw, within forty (40) days from the issue thereof, together with the voluntary payment fee as provided in section 2. e) to the Administrator of the RM of Coteau No. 255, the person to whom the Bylaw Violation Notice and penalty (fine) was issued shall not be liable for prosecution for the contravention in respect of which the Bylaw Violation Notice and penalty (fine) was issued.
- e) Any person who contravenes any provision of this Bylaw is guilty of an offence and liable on summary conviction of a penalty (fine) of \$1000.00 for each offence. The voluntary payment fee shall be \$500.00 for each offence.
- f) The imposition of any penalty (fine) for violation of this Bylaw shall not relieve the person from complying with this Bylaw.

**3. Bylaw 2-2018 is hereby repealed.**

  
\_\_\_\_\_  
Reeve  
  
\_\_\_\_\_  
Administrator  
  
\_\_\_\_\_  
Date



Certified a true copy of Bylaw No. 5-2022 adopted by the Council of the RM of Coteau No. 255 on August 9, 2022

  
\_\_\_\_\_  
Administrator, Lindsay Hargrave

