

1927

## c 311 Barberry Shrub Act

Ontario

© Queen's Printer for Ontario, 1927

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/rso>

---

### Bibliographic Citation

*Barberry Shrub Act*, RSO 1927, c 311

### Repository Citation

Ontario (1927) "c 311 Barberry Shrub Act," *Ontario: Revised Statutes*: Vol. 1927: Iss. 3, Article 174.

Available at: <http://digitalcommons.osgoode.yorku.ca/rso/vol1927/iss3/174>

## CHAPTER 311.

## The Barberry Shrub Act.

**1.** In this Act "Barberry" shall mean the species *Berberis* "Barberry,"  
*Vulgaris* L. R.S.O. 1914, c. 255, s. 2. meaning of.

**2.** Every person who plants, cultivates or sells the shrub Penalty for  
known as the barberry shrub shall incur a penalty not exceed- planting  
ing \$10, recoverable under *The Summary Convictions Act*. shrub.  
R.S.O. 1914, c. 255, s. 3. Rev. Stat.  
c. 121.

**3.** The council of any municipality may order the owner Shrub where  
or occupant of any land on which any hedge or fence formed already plant-  
by such shrub or any plant of such shrub is growing to remove ed on farm  
and destroy the same, and upon his neglect or refusal so to lands to be  
do within one month after the service of notice in writing re- pulled up.  
quiring such removal and destruction, the council may cause  
the same to be removed and destroyed, and in such case he  
shall not be entitled to compensation for such removal and  
destruction. R.S.O. 1914, c. 255, s. 4.

**4.—(1)** If within thirty days after receiving the notice the Compensation  
owner or occupant removes and destroys such shrub he shall for  
be entitled to compensation for the value of the plant and the destruction.  
cost of removal.

(2) In default of agreement the amount of such compensa- Fixing  
tion shall be determined in writing by the fence viewers of amount.  
the municipality, and the amount agreed upon or awarded  
shall be paid to the owner or occupant by the treasurer of  
the municipality. R.S.O. 1914, c. 255, s. 5.

**5.—(1)** Where any person has planted or has growing Shrub already  
upon land owned or occupied by him and situate within any planted in  
city, town or village any hedge or fence formed by such shrub cities, etc., to  
or any plants of such shrub the Minister of Agriculture may, be destroyed.  
upon petition signed by at least three owners or occupants of  
land in an adjoining township, and after the report of one or  
more qualified persons appointed by the Minister for such pur-  
pose, require the owner or occupant to remove and destroy  
such hedges, fences or plant, and upon his neglect or refusal to

do so, within one month after the service of notice in writing requiring such removal and destruction, the Minister may cause the same to be removed and destroyed.

Compensation. (2) Where such owner or occupant removes and destroys such hedge, fence or plant as required by the Minister, and such hedge, fence or plant was planted before the 30th day of April, 1900, he shall be entitled to such compensation as the Minister sees fit to allow, to be paid out of the Consolidated Revenue Fund. R.S.O. 1914, c. 255, s. 6.

---