



# THE DISTRICT OF NORTH VANCOUVER

## NOTIFICATION OF PESTICIDE USE BYLAW

### BYLAW 6375

Effective Date – August 26, 1991

#### CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amending bylaws have been combined with the original bylaw for convenience only. This consolidation is not a legal document. Certified copies of the original bylaws should be consulted for all interpretations and applications of the bylaw on this subject.

#### Original Bylaw

Bylaw 6375

#### Date of Adoption

August 26, 1991

#### Amending Bylaw

N/A

#### Date of Adoption

N/A

The bylaw numbers in the margin of this consolidation refer to the bylaws that amended the principal bylaw (Notification of Pesticide Use Bylaw – Bylaw 6375). The number of any amending bylaw that has been repealed is not referred to in this consolidation.

# THE CORPORATION OF THE DISTRICT OF NORTH VANCOUVER

## BYLAW 6375

A bylaw to require notification of the use of a pesticide

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The Council for The Corporation of the District of North Vancouver enacts the following:

### **Title**

1. This bylaw may be cited as "**NOTIFICATION OF PESTICIDE USE BYLAW**".

### **Definitions**

2. In this bylaw,

***Medical Health Officer*** has the meaning assigned in the Health Act. and includes any person duly acting for the *Medical Health Officer*;

***pesticide*** means an organism or material that is represented, sold, used or intended to be used to prevent, destroy, repel or mitigate a pest and includes

- a. a plant growth regulator, plant defoliator or plant desiccant; and
- b. a control product, other than a device that is a control product under the Pest Control Products Act (Canada);

***real property*** has the meaning assigned in the *Municipal Act*; and

***spot treatment*** means an application or spray to localized or restricted areas as differentiated from broadcast or complete coverage.

### **Notification Requirements for a Residential Building**

3. At least 72 hours before the time of application of a *pesticide* to a dwelling unit in a residential building containing more than three dwelling units, notification containing the following information shall be given in writing to the occupants of the dwelling unit:
  - a. a description of the area to be treated and the common name of the *pesticide*;
  - b. the common trade name, active ingredient and concentration of the *pesticide*;
  - c. the date and time of the proposed application;
  - d. the name and telephone number of the person who will apply the *pesticide*;
  - e. the words "For more information contact the "Pesticide Hotline", Agriculture Canada's National Pesticide Information Service, or the North Shore Health Department during office hours";
  - f. advice and precautions for the occupants; and
  - g. the words "If you require emergency medical information, the Poison Control Centre telephone numbers are \_\_\_\_\_", complete with the current phone numbers for the Poison Control Centre;

and, in the case of a building that has a common access for the dwelling units, a sign shall be posted in the entrance area of the building containing the dwelling unit to be treated, such sign to be in the form set out in section 5 except that the wording required in section 5 a., after the word "WARNING", shall read "Residential premises in this building will be/have been chemically treated on or after (date)" or words of equal effect.

#### **Notification Requirements for Other Applications**

4. At least 72 hours before the time of application of a *pesticide*, other than to a dwelling unit, signs in the form set out in section 5 shall be posted in the following manner, such signage to remain in place for at least 72 hours after the application of the *pesticide*:
  - a. for a building, signs shall be posted within the area to be treated in a prominent and easily visible location, at each entrance to the area to be treated and at the entrance to the building containing the area to be treated;
  - b. for the grounds of a residential building containing three or more dwelling units, signs shall be posted in conspicuous locations at intervals not exceeding 25 metres along the perimeter of the area to be treated and so that the notice is visible from within and without the area to be treated;
  - c. for the grounds of other buildings, signs shall be posted in prominent locations where they are easily visible, and a sign shall be posted in any work place located on the parcel where a *pesticide* is to be used; and
  - d. for a park or open space, signs shall be posted at all major public entry points where the treated area is greater than 0.8 hectare in size, and around the perimeter of the treated area where the treated area is less than 0.8 hectare in size.

#### **Form of Sign**

5. The signs required in section 4 shall contain the following information
  - a. the word "WARNING" in bold face, red colour at least 2.5 cm in height, and followed by "This area will be/has been chemically treated on or after (date)" or words of equal effect;
  - b. the common trade name, active ingredient and concentration of the *pesticide*;
  - c. the date and time of the *pesticide* application;
  - d. the name and telephone number of the person applying the *pesticide*;
  - e. the words "AVOID CONTACT WITH TREATED AREAS"; and
  - f. the words "If you require emergency medical information, the Poison Control Centre telephone numbers are \_\_\_\_\_", complete with the current phone numbers for the Poison Control Centre;

and shall be constructed in the following manner:

- g. rectangular in shape;
- h. at least 30 cm by 45 cm in size;
- i. made of durable, rain proof material; and
- j. printed in capital lettering that is at least 1.5 cm high and contrasts with the background.

### **Exceptions**

6. This bylaw does not apply in the following circumstances:
  - a. applications of *pesticides* to an area covering less than 10% of a park or other open area when such area does not exceed 0.8 hectares;
  - b. *spot treatment of pesticides* to baseboards, cracks and crevices in locker rooms, storage rooms, electrical rooms and garbage chutes when applied as part of a contractual preventative service performed by a licensed pest control company.

### **Enforcement**

7. The *Medical Health Officer* shall administer this bylaw, and, for that purpose, may
  - a. where a person has failed to comply with the provisions of this bylaw, issue a written notice requiring such person to comply with the provisions by a date given in the notice; and
  - b. enter at all reasonable times on any *real property* to ascertain that the requirements of this bylaw are being or have been observed.

### **Offences**

8. It is an offence
  - a. to apply a *pesticide*, and
  - b. in the case of an owner of land to be treated with a *pesticide*, to permit the application of a *pesticide* without giving the notice required by this bylaw, and each day that an infraction exists is a separate offence.

### **Penalty**

9. Any person found guilty upon summary conviction of an infraction of this bylaw, is liable to a fine and penalty of not more than \$2,000.00 and to the cost of prosecution.