

March 11, 2015

REPORT TO: F. C. MANSON, CHIEF ADMINISTRATIVE OFFICER

FROM: B. C. RUSSELL, DIRECTOR OF COMMUNITY PLANNING

SUBJECT: COSMETIC PESTICIDE

PURPOSE: OPTIONS TO ADDRESS COSMETIC PESTICIDE USE IN THE CITY OF PARKSVILLE

EXECUTIVE SUMMARY:

Council requested staff investigate the implications associated with a cosmetic pesticide ban within the City of Parksville.

RECOMMENDATION:

THAT the report from the Director of Community Planning dated March 11, 2015 entitled "Cosmetic Pesticide - *Options to Address Cosmetic Pesticide Use in the City of Parksville*" be received for information.

BACKGROUND:

Council passed the following resolution at the October 20, 2014 Council meeting:

'14-197 THAT staff be directed to prepare a report on the impact of a cosmetic pesticide ban in Parksville based on research from surrounding municipalities and including the feasibility as well as the cost of enforcement and a public information campaign. CARRIED.'

Legislative Framework:

Health Canada regulates pesticides through a comprehensive federal program of pre-market scientific assessment, enforcement, education and information sharing. The *Pest Control Products Act* (PCPA) and regulations govern the sale and import of pesticides in Canada. The Pesticide Management Regulatory Agency is a specialized scientific Health Canada body which evaluates the potential effects of pesticides on human and environmental health and determines whether products will be authorized for sale in Canada. Health Canada states products will only be authorized for sale or use where the applicant has successfully demonstrated there is sufficient scientific evidence to show the product will not pose unacceptable health or environmental risks and serves a useful purpose.

Provincially, the Ministry of Environment is responsible for managing pesticide issues in BC. Several statutes regulate pesticides in BC including the *Integrated Pest Management Act* and regulations, *Environmental Management Act*, *Public Health Act* and *Workers' Compensation Act*. The acts jointly regulate the safe use, storage, sale/distribution, application and transportation of pesticides, public

notification requirements, certification and training requirements and emergency response in case of spills or leaks.

The Province, through a Special Committee of the Legislature, initiated an extensive public and stakeholder consultation process on pesticide use in 2010/2011. Over 8600 comments were submitted, including presentations from environmental groups, scientific organizations, industry representatives and academics. The Committee made 17 recommendations and, as a result, it is anticipated Cabinet will adopt amendments to the Integrated Management Pesticide Regulation within one year to 18 months. The Committee concluded pesticides can be safely used under certain conditions. If Cabinet accepts the proposed revisions, all homeowners and businesses will require the services of a licensed company/certified applicator to apply pesticides in their yards, unless the pesticides are exempt, either by the regulation or by the local municipality. (A summary of proposed amendments to the regulation is provided in Schedule "A".)

The Committee commented many municipalities do not have the relevant scientific expertise or sufficient resources to adequately delve into the complex issues associated with pesticide management. It was acknowledged that 40 municipalities have some form of pesticide regulation, but the approaches differ significantly, tend not to have benefited from sound science and have resulted in a patchwork of diverse rules for residents and businesses across BC.

Under Provincial regulations (BC Reg. 144/2004) municipalities may only regulate the cosmetic application of pesticides to outdoor trees, shrubs or ornamental plants on land used for residential purposes or on land vested in the municipality. Local governments cannot restrict pesticide applications that are intended to manage pests that transmit human diseases or are applied to land used for agriculture, forestry, transportation, public utilities or pipelines not vested in the municipality. Municipal regulations cannot be contradictory to or less restrictive than provincial or federal legislation.

Council directed staff to investigate the approach taken by surrounding municipalities. The Town of Qualicum Beach and the City of Nanaimo adopted pesticide bylaws in 2010. Both have similar provisions which are outlined in Schedule "B". The District of Lantzville discussed adopting a bylaw for pesticide use during a review of its urban agriculture regulations but has not enacted one to date. The City of Victoria has a bylaw but it contains many exemptions and essentially requires residential homeowners and strata corporations to obtain a municipal permit prior to applying pesticides.

The City of Port Alberni adopted a bylaw in 2009 restricting pesticide use on public and private lands. Council chose to rescind the bylaw in October 2012 due to cost implications for the City's parks department and a perceived lack of effectiveness of the bylaw. Port Alberni concluded the alternative management vegetation control methods were unsuccessful in maintaining safe and attractive public areas and resulted in increased demand on staff time and resources and significantly higher costs when compared to using Canada approved pesticides. One example presented by the Director of Parks for Port Alberni suggests the cost of choosing a pesticide like Fiesta over a more regulated one like Killex resulted in a fifty-fold cost increase for materials alone, not including additional costs for staff time associated with a higher number of applications for Fiesta. The City of Port Alberni's staff report is attached for information. Port Alberni's Parks Director indicated the City will be adopting an educational outreach strategy in place of a bylaw.

The City of Parksville's Operations Department indicates that pesticides have been used on sidewalk and concrete crack surfaces for weed control. They further indicated that, in their experience, there are no effective alternative methods for dealing with weeds in such circumstances. With respect to sport fields, alternatives, such as Fiesta have been tried at Springwood Park to control Broadleaf Plantain. Plantain is recognized as a safety hazard on sport fields. Each application costs the City approximately \$7,000. While it has caused plantain to recede it did not eradicate it. Additional application(s) would be needed to effectively eliminate the plantain but field use scheduling during the busy summer season precludes it.

OPTIONS:

1. Receive the report for information;
2. Direct staff to commence a process to develop a new cosmetic pesticide use bylaw;
3. Direct staff to review the progress of proposed provincial regulation amendments in 12 months, and in the interim, direct staff to coordinate with the RDN to provide appropriate educational and promotional materials about alternatives to pesticide use;
4. Provide alternate direction to staff.

ANALYSIS:

1. The sale and use of pesticides is highly regulated by federal and provincial agencies, staffed with appropriately qualified scientific experts. A dedicated provincial Committee expended significant time and resources to investigate the issue. The province is contemplating proposed amendments to the Integrated Pest Management Regulations in the near future. The new regulations are expected to promote alternatives to pesticide use as a first option and only permit pesticide application by certified and licensed operators as part of an integrated pest management program. However, at this time the implementation timeframe is speculative.

Pesticide bylaws have proven to be challenging for municipal staff to monitor and enforce. Landowners can easily purchase pesticides locally and bylaw enforcement staff has no way of proving what substance is actually being applied by a land owner and whether or not it is an approved or prohibited product.

If the City chooses to maintain the status quo, pesticide use will continue to be regulated by the federal and provincial agencies. Proposed changes to the provincial regulations will likely strengthen BC's pesticide management regime by requiring application by trained and certified people. Given recent concerns from many local governments about provincial downloading, it may be viewed as unusual for a city to voluntarily take on the federal/provincial role of administering pesticide use at the municipal level.

2. Should Council wish to immediately see regulations on the use of cosmetic pesticides, staff can commence the process to develop a bylaw. Should this be the approach, staff recommend the bylaw should mimic the intended provincial approach, which is based on sound scientific rationale, and includes application of certain pesticides by a certified applicator only (see Schedule "A").

Should Council wish to adopt more stringent controls than the province is proposing, a new bylaw may be used to achieve that objective. It is noted that staff in other cities have expressed concern over the enforcement effectiveness of a complete ban on the use of pesticides for cosmetic purposes while they continue to be sold in retail locations throughout the region. Other cities have experienced significant cost increases in their City operations where total bans are implemented on public lands. Should Council wish to enact a provision requiring issuance of permits for pesticide use, staffing resources will need to be reviewed to ensure that there is sufficient capacity.

3. If Council supports the concept of reduced pesticide use and wishes to take some action but avoid duplication of provincial regulation, it may wish to adopt a 'wait and see' approach for one year while the province advances its amendment process to Cabinet. Should no significant progress be made provincially within 12 to 18 months, Council may wish to enact its own bylaw at that time.

Presently, the Regional District of Nanaimo (RDN) publishes alternatives to pesticide use information on behalf of the City of Parkville and other member municipalities. In addition, there are many resources published by other agencies. In the interim, these resources could be further promoted by staff during discussions with landowners and made more prominent on the City's website and public counter spaces to encourage a voluntary reduction of non-essential pesticide use.

4. Council may provide further direction to staff if it is seeking additional information or would like to see a different approach than has been presented.

FINANCIAL IMPACT:

The financial impact will vary depending upon Council's direction. It is challenging to estimate the exact costs without a full understanding of how far Council may wish to go with a new bylaw. Bylaw provisions that require people to obtain a permit will likely have the greatest impact on staffing costs. Developing new permit forms, processes, fee schedules and ongoing re-assignment of staff will be needed to administer a new permit system. It is doubtful whether the existing staff could manage this added workload.

Costs for developing bylaws and associated information materials would come from the current department budget. Staff resources would likely be redirected from other tasks to work on this project in the short term. When a bylaw is adopted, enforcement of the provisions is expected and this may have long term implications for existing resources in several departments. If Parks and Operations staff must change their existing procedures and facilities' maintenance schedules there could be cost implications in the long term, which may be very significant depending on Council's

decision. The Operations Department indicated that to control the weeds, which are typically treated a few times a year would be a significant increase in cost to the City, based on the alternative products presently available in the marketplace. The City has tried alternative products like Fiesta, and have found that the cost increase is significant; from \$150 for a conventional pesticide to \$14,000 for alternative products.

STRATEGIC PLAN IMPLICATIONS:

- *Maintain or enhance quality of life through supporting the implementation of Parksville's Community Vision* - it is unclear whether the use of Health Canada approved pesticides is impacting the quality of life in the City of Parksville, whether in a positive or negative manner;
- *Renewal and maintenance of infrastructure* - depending on Council direction, there may be significant cost implications (both in material costs and human resources) if Parks and Operations staff cannot use Health Canada approved pesticides to maintain City properties;
- *Maintain or enhance current service levels* - the process required to develop a new pesticide bylaw may necessitate the diversion of resources from previously established Council priorities in the short term. There may be long term and ongoing implications for bylaw enforcement staffing resources and, depending on the provisions of the bylaw, there may be implications for Parks and Operations in maintaining current service levels on municipal lands. A permit system may not be possible within the scope of existing staffing resources without changes in service levels;
- *Environmentally Sustainable* - the current federal/provincial laws and procedures, in addition to the proposed provincial regulatory amendments appear to support the implementation of this objective;
- *Maintain or reduce actual property tax burden* - City use of alternative methods to keep the same maintenance threshold could mean a significant increase in costs to maintain City lands;
- *Organizational welfare* - the process to develop, monitor and enforce a pesticide bylaw may impact staff and financial resources for several departments. An ongoing program to manage a permitting system would necessitate re-alignment of current staffing resources and may result in a change in employee tasks to handle the new priority;
- *Economic Development* - no direct implications are expected - should Council implement a pesticide bylaw that requires application by a certified and licensed person, local businesses that offer this service may benefit;
- *Maximizing assessed values* - no perceived implications.

REFERENCES:

- Health Canada: "The Regulation of Pesticides in Canada":
<http://www.hc-sc.gc.ca/cps-spc/pubs/pest/fact-fiche/reg-pesticide/index-eng.php>;
- Ministry of Environment: Proposed Revisions to Integrated Pest Management Regulation: Intentions paper, September 2013:
http://www.env.gov.bc.ca/epd/codes/ipmr/policy_intentions_paper.pdf ;
- Province of BC, Special Committee on Cosmetic Pesticides Report, May 2012
<https://www.leg.bc.ca/cmt/39thparl/session-4/cp/reports/PDF/Rpt-CP-39-4-Report-2012-MAY-17.pdf> ;
- "Spheres of Concurrent Jurisdiction - Environment and Wildlife Regulation, BC Reg. 144/2004"
http://www.bclaws.ca/civix/document/id/complete/statreg/144_2004;

Options for Reducing Cosmetic Pesticide Use

- *Integrated Pest Management Act*, BC;
- "Integrated Pest Management Regulation, BC Reg. 427/2008";
- Staff report to Council of City of Port Alberni from Parks and Recreation Department, dated October 16, 2012 on the City's Pesticide Bylaw;
- Sample Cosmetic Pesticide Bylaw - Town of Qualicum Beach;
- RDN / City of Parksville - Alternatives to Pesticide brochure.

Respectfully submitted,

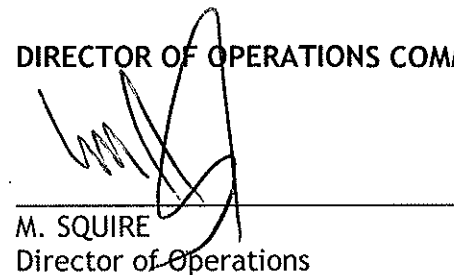


BLAINE C. RUSSELL
Director of Community Planning

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Attachments

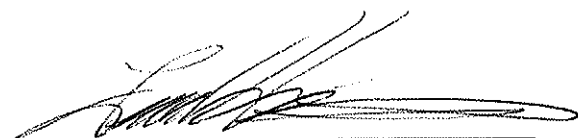
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DIRECTOR OF OPERATIONS COMMENTS:



M. SQUIRE
Director of Operations

CHIEF ADMINISTRATIVE OFFICER COMMENTS:



F. C. MANSON, CGA
Chief Administrative Officer

Schedule "A"

**SUMMARY OF PROVISIONS CONTAINED IN
INTEGRATED PEST MANAGEMENT (IPM) REGULATION, BC 427/2008**

1. Pesticides are categorized into classes which determine how they can be used and by whom. Classes include: permit-restricted; restricted; commercial/industrial/agricultural; domestic; and excluded.
2. The regulation establishes when a licence is required to apply a pesticide and clarifies which pesticides may be used without a permit or a licence.
3. Licence criteria and notice provisions are included in the regulation.
4. Certification and examination criteria are outlined in the regulation.
5. General requirements such as use, containment, transport, storage and sale of pesticides are prescribed in the regulation.
6. The regulation contains a schedule of pesticides that can be used without a permit by individuals who do not have a license - these are referred to as excluded pesticides and include items such as acetic acid, mineral oils and soaps for example.

Proposed Amendments to the IPM Regulations:

The stated goal of the amendments is to *"ensure pesticides used in outdoor landscaped areas are applied by trained people as part of an IPM program, or are pesticides generally considered safe for use by untrained people"* (MOE Intentions Paper, September 2013).

The IPM Regulation will be amended by:

- Requiring a pesticide user licence for application of pesticides in private landscaped areas, unless exceptions specifically apply;
- Requiring notification of residents when pesticides are used on private landscapes;
- Establishing a list of pesticides considered safe for use by untrained people;
- Update the list of excluded pesticides (that do not require a licence) and provide a better understanding of where and when these pesticides could be used;
- Require vendors to store Domestic Class pesticides where customers cannot easily access them directly;
- Require certified dispenser to confirm with potential purchasers that pesticides being bought are suitable for the intended purpose and that purchasers have printed information on safe and suitable pesticide use;
- Establish uses for which the herbicide glyphosate may be applied in private landscapes without licence;
- Require all people applying pesticides to public land, rights-of-way or forests be trained;
- Remove provisions allowing uncertified applicators to apply pesticides under supervision of certified applicators¹ and establish an assistant applicator category that will permit people to perform some, but not all, of the duties of a certified applicator;
- Specify a method by which municipalities may opt out of licence requirements for pesticide use in private landscaped areas.

¹ Current regulation permits a certified applicator to supervise up to 4 uncertified applicators working within 500m of the certified person

Schedule "B"

SUMMARY OF NEIGHBOURING AREAS PESTICIDE BYLAWS

Jurisdiction	Name of Bylaw
1. Lantzville, District	Does not appear to have a bylaw in place
2. Nanaimo, City	"City of Nanaimo Pesticide Use Bylaw, 2010, No. 7102"
Summary of Key Provisions: <ul style="list-style-type: none"> • Prohibition of pesticides for maintaining ornamental or aesthetic landscapes on private or public lands; • Exemptions for pesticide application: <ul style="list-style-type: none"> ○ To manage pests that transmit human disease; ○ Impact agriculture or forestry; ○ Residential areas of a farm; ○ Inside or outside of a building or greenhouse; ○ Lands used for forestry, agriculture, transportation, non-City owned public utility or pipelines; ○ Public or private swimming pools; ○ Managing Invasive plants. 	
3. Nanaimo, Regional District	Does not appear to have the authority to adopt such a bylaw - education resources are presented on voluntary alternatives to pesticide use.
4. Port Alberni, City	Rescinded bylaw due to ineffectiveness and significant operational cost increases for City staff.
5. Qualicum Beach, Town	"Town of Qualicum Beach Pesticide Use Bylaw No. 650, 2010"
Summary of Key Provisions <ul style="list-style-type: none"> • No pesticide use on private or public lands, except for excluded pesticides outlined in the IPMR. • QB Memorial Golf Course and Eaglecrest exempt from the bylaw. • Exemptions for pesticide application: <ul style="list-style-type: none"> ○ To manage pests that transmit human disease; ○ Impact agriculture or forestry; ○ Residential areas of a farm; ○ Inside or outside of a building or greenhouse; ○ Lands used for forestry, agriculture, transportation, non-City owned public utility or pipelines; ○ Public or private swimming pools; ○ Managing Invasive plants. 	
6. Victoria, City	"Pesticide Use Reduction Bylaw" (No.07-094)
Summary of Key Provisions: <ul style="list-style-type: none"> • Exemptions for commercial, industrial, institutional lands; • Similar exemptions to the City of Nanaimo and Town of Qualicum Beach; • City permits required for application of pesticides on private residential properties; • Setbacks apply from watercourses, wells, schools, parks and bus stops and spray application may only occur in certain weather conditions; • Notice signs must be posted; • City does not require a permit to apply pesticides on City owned lands. 	



CITY OF PORT ALBERNI

PARKS AND RECREATION DEPARTMENT REPORT

TO: Ken Watson, City Manager
FROM: Scott Kenny, Director of Parks and Recreation
COPIES TO: Jacob Colyn, Parks Operations Supervisor
DATE: October 16, 2012

I concur, forward to next
Regular Council Meeting
for Consideration:


Ken Watson, City Manager

SUBJECT: Pesticide Bylaw

Issue:

This report includes proposed changes to the City of Port Alberni's Pesticide Reduction Bylaw

Background:

In April 2009 the City of Port Alberni approved Bylaw # 4720 in order to protect the natural environment by regulating and reducing the non-essential use of pesticides. The Bylaw included a permitting system which under the right circumstances, would allow for the use of restricted products. Since that time there have been no permits requested by Port Alberni Residents.

City staff have tried, and continue to use a number of alternative management vegetation control methods all of which had varying degrees of success. In addition, City Council approved the following applications:

- October 2010, approval to apply "Roundup", a non-selective herbicide product on selected Park and field locations; and
- May 2012, approval to apply "Weed and Feed" on Bob Dailey, Echo Park and Black Sheep fields.

Discussion:

Under the current terms of the Bylaw the City is able to apply for a permit to use restricted pesticides providing alternative maintenance techniques have been tried and the chemicals are applied by certified applicators. Our concern is the appearance of many City facilities due to the growth of weeds on ball diamonds, hard surface areas and shrub beds at a number of locations throughout the City and sportsfields. Since the approval of the bylaw we have tried and continue to use the following techniques, all of which have limited results:

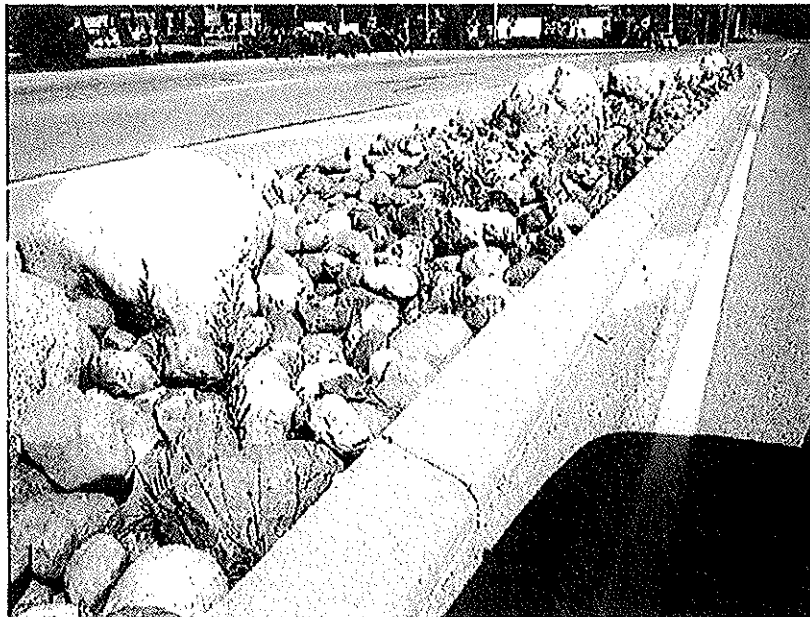
- A. **Manual cultivation** – This has limited success, is labour intensive and with reduced staffing is not a practical solution. It continues to be one of the tools used but is not one that will allow us to keep pace with weed growth. For example, the stone surface located on the shrub and flower display at the Intersection of Victoria Quay and Johnson Road was previously sprayed with Roundup on one occasion in the spring of the year. Weed growth was eliminated and resulted in minimal maintenance for the balance of the year. Without the use of the chemical, the area required manual weeding on many occasions over the

ENTERED
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summer months and weed growth has expanded and become more aggressive. The same can be said with respect to the Johnson Road median adjacent Pacific Rim Mall where weed growth is extensive and expanding as the photo below shows.



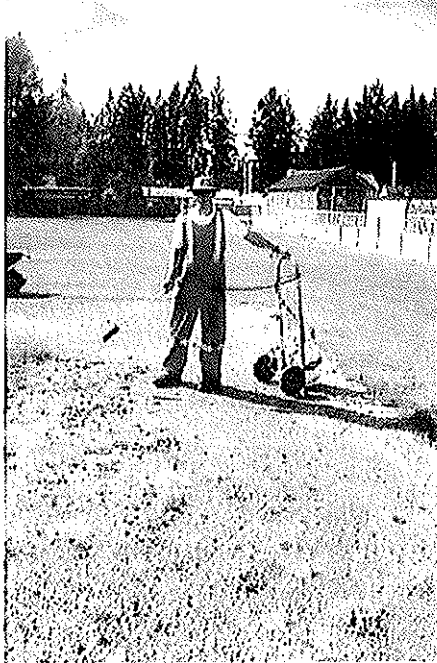
Victoria Quay 2010 – rock has now been removed



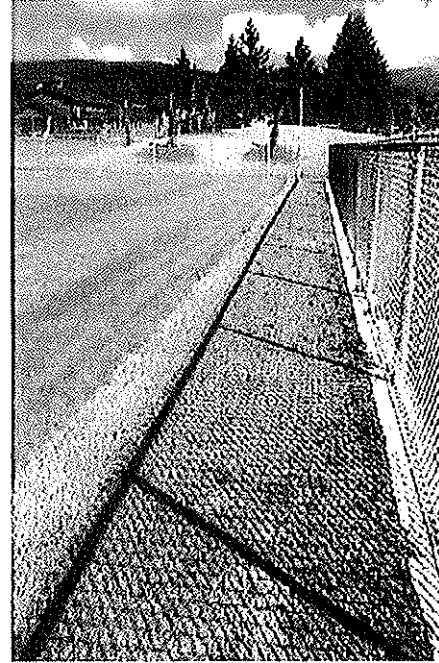
Johnson Rd. median – August 2010

- B. established mature plants it only burns the tops of established weeds and as such requires multiple applications in order to achieve some level of control.

- C. Hard Surface Areas - Burning** – We have used a propane gas torch on exposed soil areas in baseball fields in a labour intensive three week control program in 2010. At the new Klitsa ball fields we torched the exposed areas in April, June and September and as noted above, applied Eco Clear Vinegar on two other occasions. The crown of the roots were burned but the roots remained viable. We did find the torch to be effective on young seedlings. Despite the control methods used we now have established deep rooted grasses and clover on the exposed soil areas as noted on the following photographs.

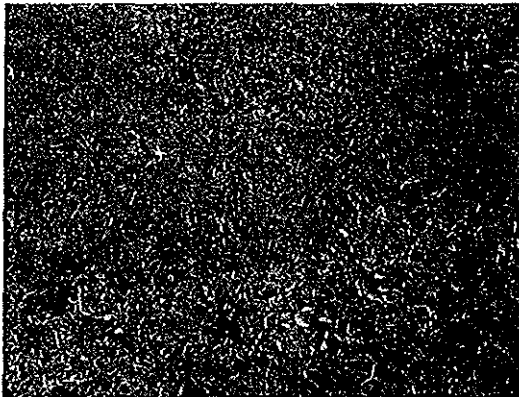


Torch on ball fields

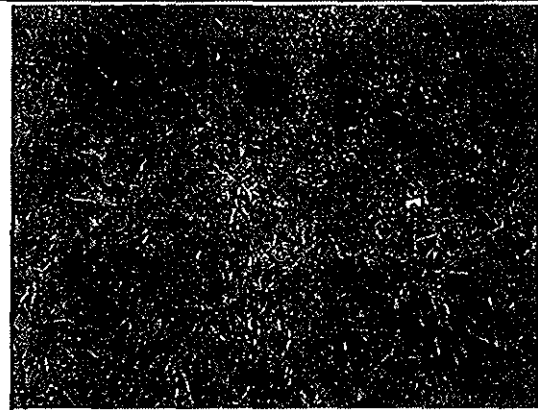


Klitsa field fence line after 5 applications

- D. Shrub Beds - Mulching** – As some of the shrub beds are weeded, we are applying a 100 mm layer of bark mulch over the clean surface. This not only helps to smother and control weeds but also retains moisture in the soil and cools the roots.
- E. Permitted Selective Herbicides (Sportsfields/Lawns)** – Products allowed under the current Bylaw including Eco Clear (Vinegar Solutions) are expensive and have limited success. We have found them to be effective when applied to small weed seedlings or very soft plant materials but on established mature plants it only burns the tops of established weeds and as such requires multiple applications in order to achieve some level of control. In the fall of 2011 we applied Fiesta, an iron based selective herbicide, to the lower sportsfield at Echo Park and Bob Dailey Stadium in an attempt to control excessive weed growth of Plaintain, a broad leaf weed that is quickly spreading across the field. The product only burns the tops of the weeds only and has little or no effect on established roots, consequently the plants have returned.



Echo Park Sports Field Apr 2012



Bob Dailey Stadium April 2012

The cost of the Fiesta product is for this one fall application is excessive at \$2000 total or approximately \$1000 per field as compared to past applications of Killex type herbicides at \$200 per field. If an application was made to all existing Class 1 Sportsfields, the cost for a single application would be approximately \$8000 and to be completely effective up to four applications per year would be required at a total material cost of \$32000. While we have not experienced the use of Fiesta over a four year period, if we did use the material at the rate of four initial applications and then reduce to a total of two applications per year the total four year cost for product purchase would be approximately \$80000. The Killex product would require one application and past practice indicates it would be effective for approximately four years, at a total cost of \$1600 over the four years.

50x ↑ cost

Some would state that Fiesta is safer to use however it should be noted that both Fiesta and Killex have low toxicity with an oral LD50 greater than 5000 mg per kg. considering that the Fiesta product takes longer to apply and also requires multiple applications, every 2 to 3 weeks to be effective, the contact period is far greater.

- F. Other Sportsfield Maintenance Options** – We are not alone in the charge to reduce pesticide use. There are other options for maintaining sports fields which include:
- Sod Replacement** – this is becoming more common since the weeds cannot be controlled. It requires an extended closure extensive field cultivation and grading and very expensive. The cost for replacement sod on a typical single sportsfield is \$25,000.
 - Artificial Turf** – Many of the newer sports fields are now being developed using artificial turf at a cost in excess of one million dollars. The new High School has the first artificial field in the Valley.

The Province of British Columbia recently completed the Report of the Special Committee on Cosmetic Pesticides. The Report covers the work of the Committee in the third and fourth sessions of the 39th Parliament of British Columbia in regard to its inquiry into the feasibility of a province-wide ban on the cosmetic use of pesticides. Their conclusion is as follows:

"Over the course of its inquiry the Committee studied the existing federal-provincial regulatory framework, heard varied opinions from over 8,600 e-consultation participants, and examined bans in other jurisdictions. The Committee concluded that despite the intensity of arguments in favour of a ban on the cosmetic use of pesticides and a general misunderstanding of the risks associated with chemicals, there is insufficient scientific evidence to support a province-wide

BC Findings

ban on pesticides for cosmetic use. The majority of the Committee supports using science-based evidence and will not restrict access to products that are approved for safe use in Canada. In its commitment to "protect the public and reduce the use of pesticides according to the IPM principles," the Committee has focused its recommendations on strengthening regulations on pesticide sales, monitoring and education. The unnecessary use of pesticides can be reduced by providing British Columbians and businesses with the education, tools and support necessary to make informed pest management decisions".

The current Bylaw includes a permitting system whereby residents may request approval of the Director of Parks and Recreation to apply restricted pesticides, such as Roundup or Killex. They must show that they have tried alternative management techniques. Since the approval of the Bylaw in 2009, we have received had no permit applications.

Options:

Having reviewed our management techniques over the past three years we believe that it is time to proceed with revisions to the Pesticide Bylaw. Three options are presented for consideration:

1. Continue with the existing Bylaw. Enforcement of the current Bylaw is not possible and the current permit system is not used therefore it should not continue.
2. Revising the Bylaw by deleting the permitting requirements and allowing applications on hard surface areas, sports fields and shrub beds.
- 3. Rescind the Bylaw, and let the Province take the lead on reduced and safe pesticide use in British Columbia. The Committee believes their recommendations will protect British Columbians from unnecessary exposure to pesticides, will provide improved education, will lead to safer use by unlicensed applicators, and will encourage the overall reduction of pesticide use while providing individuals, businesses and industries with access to the tools necessary to enhance their personal green spaces and control pests and invasive species

Recommendations:

The following resolution is proposed:

1. That Council for the City of Port Alberni rescind Bylaw 4720, Pesticide Reduction Bylaw;
2. That the City continues to follow an Integrated Pest Management plan with a continued focus on alternative use and the reduction of pesticide use in the City of Port Alberni;
3. That the City follow the applicable recommendations of the "Special Committee" to improve education; the safe use and the overall reduction of pesticide use in the City and the Province of British Columbia.

Respectfully submitted,



Scott Kenny

Director of Parks and Recreation

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TOWN OF QUALICUM BEACH

BYLAW NO. 650

A Bylaw to regulate the use of pesticides in the Town of Qualicum Beach

WHEREAS the residents of the Town of Qualicum Beach are concerned about the non-essential use of pesticides and the risk that pesticides may pose to the natural environment;

AND WHEREAS the application of pesticides contributes to the cumulative chemical load absorbed by the natural environment;

AND WHEREAS pesticides cannot be necessarily confined to a single location, but move through the environment in the air, land and water and may have an impact on non-target organisms and plants;

AND WHEREAS alternatives to the application of pesticides exists;

AND WHEREAS the Council of the Town of Qualicum Beach wishes to regulate the use of pesticides for non-essential purposes within Qualicum Beach;

NOW THEREFORE the Council of the Town of Qualicum Beach, in open meeting assembled, enacts as follows:

TITLE

1. This Bylaw may be cited for all purposes as "Town of Qualicum Beach Pesticide Use Bylaw No. 650, 2010".

DEFINITIONS

2. In this Bylaw:
 - (1) "Alien Invasive Species" means the species of plants listed in sections 1 and 2 of the schedule to BC Reg. 144/2004 *Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation*, as amended from time to time;
 - (2) "Excluded Pesticide" means a pesticide listed in Schedule 2 to BC Reg. No. 604/2004 *Integrated Pest Management Regulation*, as amended from time to time;
 - (3) "Farm" means land classified as farm land under the *Assessment Act (British Columbia)*, as amended from time to time;
 - (4) "Pest" means an injurious, noxious, or troublesome living organism, but does not include a virus, bacteria, fungus, or internal parasite that exists on or in humans or animals;
 - (5) "Pesticide" means a micro-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 pest control product as defined in the *Pest Control Products Act (Canada)*, as amended from time to time;
 - (b) a substance that is classified as a pesticide under the *Integrated Pest Management Act (British Columbia)*, as amended from time to time; and
 - (c) a plant growth regulator, plant defoliator or plant desiccant;

- (6) "Private Land" means a parcel or part of a parcel, in the Town, that is used for residential purposes;
- (7) "Public Land" means land owned by the Town, with the exception of:
 - (a) Qualicum Beach Memorial Golf Course – 469 Memorial Avenue, Qualicum Beach, BC, legally described as:
Lots 55 56, 57, 58 and 59, Newcastle District, Plan 1026, EXCEPT those parts forming part of the Island Highway as shown in Plan deposited under DD3268N, and EXCEPT those parts included within the boundaries of Plan 1802, EXCEPT that part of Lot 55 included within the boundaries of Plan 3415, and EXCEPT those parts of Lot 56 included within the boundaries of Plans 3415, 6631 and 14723 and EXCEPT those parts of Lot 57 included within Plans 6631, 9742 and 14723, to all EXCEPT part in Plan 14723 is annexed Restrictive Covenant 386501-G over Lots 6 and 7, Plan 6530, see 68901-N;
Lots 60, 61 and 62, Newcastle District, Plan 1026 EXCEPT those parts included in Plans 1802, 3399 and 6530, EXCEPT those parts of Lots 60 and 61 now forming part of the Island Highway as shown on Plan deposited under DD3268-N and EXCEPT those parts of Lot 60 included in Plans 443-R and 11244, hereto is annexed Restrictive Covenant 386501-G over Lots 6 and 7, Plan 6530 see 68901-N; and Lot 'A', District Lot 63, Newcastle District, Plan 9145; and,
 - (b) Eaglecrest Golf Course 17th Fairway - 2035 Island Highway, Qualicum Beach, BC, legally described as:
PID# 014-844-371; Lot A, District Lot 122, Nanoose District and District Lot 78 Nanoose and Newcastle District, Plan 49114;
and,
- (8) "Town" means the Town of Qualicum Beach.

PROHIBITIONS

- 3. No person shall use or apply a Pesticide or grant permission or authority, express or implied, to use or apply a Pesticide for the purpose of maintaining outdoor trees, shrubs, flowers, other ornamental plants or turf on Private Land or on Public Land.

EXCEPTIONS

- 4. Section 3 does not apply to the use or application of a Pesticide that is:
 - (1) an Excluded Pesticide;
 - (2) applied for the management of pests that transmit human diseases;
 - (3) applied for the management of pests that impact agriculture or forestry;
 - (4) applied to the inside or outside of a building;

- (5) applied on a residential area of a Farm;
- (6) applied on lands used for the purposes of agriculture, forestry, transportation, public utilities or pipeline, unless the public utility or pipeline is vested in the Town;
- (7) applied to public or private swimming pools; or
- (8) applied for the control or eradication of Alien Invasive Species.

OFFENCES AND PENALTIES

5. Any person who contravenes any provision of this Bylaw is guilty of an offence and liable upon summary conviction to a fine not exceeding \$10,000 and the cost of prosecution. Every day that a violation continues to exist is deemed to be a separate offence. This Bylaw is enforceable by way of a Municipal Ticket Information pursuant to Town of Qualicum Beach Municipal Ticket Information Utilization Bylaw No. 626, 2008, as amended from time to time.

SEVERABILITY

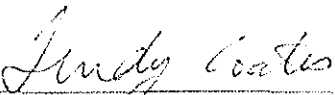
6. If any section or lesser portion of this Bylaw is held to be invalid by a Court, such invalidity shall not affect the remaining portions of the Bylaw.

IMPLEMENTATION


7. This Bylaw shall apply to:
- (1) Private Lands as at July 1, 2011;
 - (2) Public Lands as at the date of adoption.

READ A FIRST TIME this 14th day of June, 2010.
READ A SECOND TIME this 12th day of July, 2010.
READ A THIRD TIME this 4th day of October, 2010.

ADOPTED this 1st day of November, 2010.



Trudy Coates, Corporate Administrator



Teunis Westbroek, Mayor

natural pesticide alternatives

REDUCING YOUR CHEMICAL DEPENDENCE

If you do find yourself battling pests, here are several alternatives to chemical pesticides that will help you out. *Always test the mixture on a small area first to make sure the desired effect is achieved.

For mites and other insects, mix two tablespoons of hot pepper sauce or cayenne pepper with a few drops of liquid soap into a quart of water. Let stand overnight and spray the affected plants.

For small weeds, mix 1 tsp gin, 1 tsp cider vinegar, 1 tsp liquid soap, and 1 litre of water. Spray the weeds on a sunny day.

For other weeds, mix 1 litre of water with 1 tbsp of rubbing alcohol and spray affected plants. Increase the alcohol content for stubborn weeds.

Recipes from: Gardens on the Go Horticultural Services

home recipes

keeping a healthy lawn

1 WATER DEEPLY AND INFREQUENTLY
This will help promote deep root growth and create a lawn that is more tolerant of stresses. Your lawn only needs 25 mm (1") of water per week to be healthy.

2 LEAVE GRASS CLIPPINGS OUT
Grass clippings can act as a natural fertilizer, providing a significant amount of nitrogen to your lawn. In addition, clippings prevent moisture from evaporating from your lawn.

3 OVER SEED
Over seed your lawn with a perennial rye grass mixture to smother weeds that would normally be a problem.



is brought to you by the Regional District of Nanaimo's Drinking Water & Watershed Protection Program, the Town of Qualicum Beach, Fairwinds Community & Resort, the City of Nanaimo, and the City of Parksville

Toll Free 1-877-607-4111
or email: watersmart@rdn.bc.ca
www.teamwatersmart.ca



Town of Qualicum Beach



Alternatives to Pesticides

Relax.
It's just a weed.



Recycled
Supporting responsible use of forest resources
www.fsc.org Can no. 005-000-0000
©2005 Forest Stewardship Council



Working Towards a Sustainable Future

did you know? healthy lawns and gardens don't need pesticides

why go pesticide free?

Reducing or eliminating pesticides is healthier for your family, pets, and neighbourhood.

Health Reasons: The health risks associated with using pesticides vary from mild irritation of the skin or eyes to cancer and nervous system disruption.

Pesticides pose distinctive risks to children as they absorb and metabolize compounds at different rates and in different ways. Moreover, pesticide products have been cited as affecting fetal development.

Environmental Reasons: Pesticides can pollute soil and groundwater, and can be carried into rivers, lakes, and streams. Not only does this potentially harm fish, birds, and beneficial insects, but it risks contaminating our drinking water with dangerous chemicals. Remember, a lot of insects and plants play important roles in pollinating plants, attracting birds and wildlife, and helping recycle garden waste!

preventing pests in your garden

Your lawn needs to be healthy in order to resist pests and out-compete weeds. Simply killing weeds does not fix the problem that caused them to grow. Ask yourself if the damage you're seeing is being caused by poor placement of the plants in the garden, over or under-watering, or possibly the weather.

Here are a few tips to avoid pest infestations:

- Add compost to your garden to increase the nutrients that your plants are receiving. This helps ensure that plants and soil microorganisms stay healthy.
- Cover your garden with mulch such as wood chips or bark to decrease the amount of water you use and the likelihood of pest problems induced by drought stress.
- Choose plants that are naturally resistant to pests and attract beneficial insects. Some examples of these are marigold, parsley, dill, anise, yarrow, and perennial sunflower.
- Don't place plants of the same family in the same place in your garden. For example, don't plant beans and peas next to each other.

what is a pesticide?

Pesticides are chemical substances that are used to prevent, exterminate, or deter undesirable plants, fungi, insects, and animals.

This includes herbicides, insecticides, and fungicides.

