



## **Operational BY-LAW N° 270**

### **CONCERNING PESTICIDES**

1. The following words and expressions, whenever the same occur in this By-Law, shall have the following meaning:
  - a) "PESTICIDES": means any substance, matter or micro-organism intended to control, destroy, reduce, attract or repel, directly or indirectly, an organism which is noxious, harmful or annoying for a human being, fauna, vegetation, crops or other goods or intended to regulate the growth of vegetation, excluding medicine or vaccine;
  - b) "FARMER": means a farm producer within the meaning of the Farm Producers Act (R.S.Q., chap., P-28);
  - c) "INSPECTOR": means any member of the Police Department of the Town as well as any other person designated for this purpose by the municipal council.
2. The spreading and use of a pesticide is prohibited throughout the territory of the Town.
3. Notwithstanding article 2, it is permitted to use a pesticide in the following cases:
  - a) In a public or private swimming-pool;
  - b) to purify water intended for the use of human beings or animals;
  - c) inside of a building;
  - d) to control or destroy animals which constitute a danger for human beings;
  - e) to control or destroy plants which constitute a danger for human beings who are allergic thereto;
  - f) as a wood preservative.

Amendment by by-law n° 341:

1. Article 3 is amended by adding the following.

- g) to control or destroy insects which have infested property.  
The infestation must be positively confirmed, in writing, by a qualified individual.

A permit, issued by the Town Engineer or his designate, must be obtained for conditions c), d), e) and g) above."

That, for the purpose of subsections d), e) and g) above;

- a sign, visible from the street, be posted indicating the use of pesticides. This sign must be erected from the day prior until and including the day after the application.
- there be no application of pesticides within five (5) meters of any open watercourses;
- there be no application of pesticides when wind velocity exceeds fifteen (15) km/hr;



## **\*BY-LAW N° 270 – Concerning Pesticides**

Adopted on 91/05/06 – Published on 91/05/15

*Includes the modifications by by-laws n° 302, 327 and 341*

### 4. FARMERS:

Notwithstanding article 2, a farmer using a pesticide on an immovable which is exploited for purposes of agriculture or horticulture, in a hot house or in the open, is requested to

- a) register, by written declaration, with the Town, in the month of march of each year, the products which he stores and which he will be using during that year. Any modifications or additions to the said list must also be registered with the Town as soon as possible.
- b) also provide, in the written declaration at article 4 a), the schedule of application of said products and the area(s) of his property where the products will be applied.

### Amendment by by-law n° 327:

1. *Article 5 is amended by replacing it.*

### 5. GOLF COURSES:

Notwithstanding article 2, it is permitted to use a pesticide on a golf course as long as the following conditions are met:

- a) The use of the pesticide be done by a licensed applicator only;
- b) The pesticide be stored in a fireproof storage area with containment, ventilation, steel shelving and fireproof sign.  
The Golf Clubs must maintain an up to date inventory list which must be available to the Town of Hudson's Environment Committee upon request;
- c) The applicator must have and comply with material safety data sheets available for each product they might apply and they must provide the sheet to any abutter of the Golf Club property;
- d) That there be no application of pesticides within two (2) meters of the Golf Clubs' property lines;
- e) That there be no application of pesticides within five (5) meters of any open watercourses;
- f) That there be no application of pesticides when wind velocity exceeds fifteen (15) km/hr;
- g) Each year in the month of January, the Golf Clubs must submit to the Town a written report of all the measures which have been taken to control the application of pesticides and produce a detailed inventory of all chemicals used and applied during the year;
- h) That this report be examined by the Town of Hudson's Environment Committee to establish that the activities enumerated in the said report meet all the requirements of Integrated Pest Management and demonstrate a continuing effort to minimize the use of pesticides. The committee's decision to be submitted to Council on or before March 31st of each year.



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6. Notwithstanding article 2, it is permitted to use a biological pesticide to control or destroy insects which constitute a danger or an inconvenience for human beings.
7. Any person and/or entity must conform to the National Fire Code re the storage of pesticides.
8. This By-Law binds the Town, its officers and employees as well as any person carrying out works on its behalf or at its request.
9. Any inspector may visit and examine all moveable and immoveable property, as also the interior or exterior of any house, building or edifice whatsoever, to ascertain that this By-Law is executed; the owners or occupants of such property, buildings and edifices must admit such inspector.
10. For the purpose of article 8 or the Agricultural Abuses Act (R.S.Q., chap. A-2) an inspector designated by the Town may use a pesticide, notwithstanding article 2 of the By-Law, if there is no other efficient way of destroying noxious plants determined as such by the Provincial Government and the presence of which is harmful to a real and continuous agricultural exploitation.

### Amendment by by-law n° 302:

17. Article 11 is amended by replacing it with the following:

### Amendment by by-law n° 327:

2. Article 11 is amended by replacing it with the following:

11. Anyone contravening a provision of this by-law, or tolerating or permitting such a contravention, commits an infraction and is liable, besides the costs, to the following fine:
  1. for a first infraction:  
a minimum of THREE HUNDRED DOLLARS (300 \$) and a maximum of ONE THOUSAND DOLLARS (1 000 \$) if the offender is a physical person or a maximum of TWO THOUSAND DOLLARS (2 000 \$) if the offender is a moral person;
  2. for a repeat infraction:  
a minimum of SIX HUNDRED DOLLARS (600 \$) and a maximum of TWO THOUSAND DOLLARS (2 000 \$) if the offender is a physical person or a maximum of FOUR THOUSAND DOLLARS (4 000 \$) if the offender is a moral person.

### Amendment by by-law n° 302:

17. By-Law no 270 is hereby amended

### Amendment by by-law n° 327:

1. By-Law no 270 is hereby amended

### Amendment by by-law n° 327:

2. By-Law no 270 is hereby amended

### Amendment by by-law n° 341:

1. By-Law no 270 is hereby amended