



PESTICIDE USE CONTROL BYLAW NO. 8514

EFFECTIVE DATE – October 13, 2009

CONSOLIDATED FOR CONVENIENCE ONLY

This is a consolidation of the bylaws below. The amendment 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 bylaws on this subject.

<u>AMENDMENT BYLAW</u>	<u>DATE OF ADOPTION</u>	<u>EFFECTIVE DATE</u> (If different from Date of Adoption)
Bylaw 9574	September 12, 2016	

CITY OF RICHMOND
PESTICIDE USE CONTROL BYLAW NO. 8514
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PESTICIDE USE CONTROL BYLAW NO. 8514

The Council of the City of Richmond enacts as follows:

PART ONE: DEFINITIONS

1.1 In this bylaw, definitions used as a noun include the verb and in the singular include the plural and *vice versa*.

1.2 In this bylaw:

AGRICULTURAL LAND

means land designated as agricultural land under the *Agricultural Land Commission Act*, as amended or replaced from time to time, or land that is classified as a farm under the *Assessment Act*, as amended or replaced from time to time

AGRICULTURE

means any activity carried out on **agricultural land** that falls within the definition of “farm operation” in the *Farm Practices Protection (Right to Farm) Act*, as amended or replaced from time to time

BIOLOGICAL CONTROL

means the use of natural agents such as insects, nematodes, fungi, viruses, bacteria, animals or fish to control or eradicate a **pest**

CITY

means the City of Richmond

EXCLUDED PESTICIDE

means a **pesticide** listed in Schedule A of this bylaw or otherwise listed as an excluded pesticide in Schedule 2 of the *Integrated Pest Management Regulation*, BC Reg. 604/2004, as amended or replaced from time to time

NOXIOUS WEED

means a weed designated under the *Weed Control Regulation* BC Reg. 66/85 to be a noxious weed and includes the seeds of the **noxious weed**

PEST

means an animal, a plant or other organism that is injurious, noxious, or troublesome, whether directly or indirectly, including but not limited to a **noxious weed**,

and an injurious, noxious or troublesome condition or organic function of an animal, a plant or other organism, but does not include a virus, bacteria, fungus or internal parasite that exists on or in a human or animal

PESTICIDE

means a chemical, biological control or other 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;
- (b) a pest control product as defined in the *Pest Control Products Act (Canada)*, as amended or replaced from time to time; and
- (c) a substance that is classified as pesticide by the *Integrated Pest Management Act (British Columbia)*, as amended or replaced from time to time

PRIVATE RESIDENTIAL LAND

means land used for residential purposes, including without limitation, common property of a strata corporation with a residential component

CITY LAND

means land owned by the **City**, with the exception of:

- (a) the West Richmond Pitch and Putt Golf Course located in Hugh Boyd Park; and
- (b) the Minoru Park Lawn Bowling Greens

USE

with respect to a **pesticide**, includes mix, prepare or apply, or possess for the purpose of applying

PART TWO: PROHIBITION

- 2.1 Except as otherwise provided under this bylaw, a person must not **use**, or permit or caused to be **used**, a **pesticide** for the purpose of maintaining outdoor trees, shrubs, flowers, other ornamental plants of turf, or controlling plants growing through cracks in hard surfaces, in, under or upon **any private residential land or city land**.

PART THREE: EXCEPTIONS

- 3.1 This bylaw does not apply to:
- (a) an **excluded pesticide**;
 - (b) the management of a **pest** that transmits a human or animal disease;
 - (c) the management of a **pest** that impacts **agriculture** or forestry;
 - (d) residential areas of farms;

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- (e) buildings or inside buildings;
- (f) land used for forestry, transportation, public utilities or pipelines unless the public utility or pipeline is owned by the **City**;
- (g) the **use** of a **pesticide** in response to a human or animal health issue;
- (h) the **use** of a **biological control** to control or eradicate a **pest**; and
- (i) the **use** of a **pesticide** to control, manage or eradicate a **noxious weed**.

PART FOUR: OFFENCE AND PENALTY

- 4.1** A person who does any of the following commits an offence against this bylaw and on conviction is liable to a fine not exceeding \$10,000:
- (a) contravenes any provision of this bylaw;
 - (b) suffers or permits any act or thing to be done in contravention of any provision of this bylaw;
 - (c) neglects to do or refrains from doing anything required to be done by any provision of this bylaw; or
 - (d) does any act or thing that contravenes any provision of this bylaw.
- 4.2** A person is guilty of a separate offence each day that a violation occurs or continues to exist.

PART FIVE: SEVERABILITY

- 5.1** If any portion of this bylaw is found invalid by a court, it will be severed and the remainder will remain in full force and effect.

PART SIX: CITATION

- 6.1** This bylaw is cited as "**Pesticide Use Control Bylaw No. 8514**".

FIRST READING

SECOND READING

THIRD READING

ADOPTED

CITY OF RICHMOND
REVIEWED for content by originating department
APPROVED for legality by Solicitor

MAYOR

CORPORATE OFFICER

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SCHEDULE A to BYLAW NO. 9574

**SCHEDULE A to BYLAW NO. 8514
EXCLUDED PESTICIDES**

- Acetic acid
- Animal repellents except thiram
- Anti-fouling paints
- Antisapstain wood preservatives
- Asphalt solids (pruning paints)
- *Bacillus sphaericus*, also referred to as Bs
- *Bacillus subtilis*
- *Bacillus thuringiensis* var. *israelensis*, also referred to as Bti
- *Bacillus thuringiensis* var. *kurstaki*, also referred to as Btk
- Bactericides used in petroleum products
- Boron compounds
- Boron compounds with up to 5% copper for insect control and wood preservation
- Capsaicin
- Citric acid
- Cleansers
- Copper (oxychloride and tribasic only)
- Corn cellulose
- Corn gluten
- Deodorizers
- d-phenothrin
- d-trans-allethrin, also referred to as d-cis-trans allethrin
- Fatty acids
- FeHEDTA
- Ferric phosphate
- Ferric sodium EDTA
- Ferrous sulphate
- Formic acid
- Garlic
- Hard surface disinfectants
- Insect repellents
- Insect semiochemicals, including pheromones, kairomones, attractants and repellents
- Insect bait stations
- Kaolin
- Lactic acid
- Laundry additives
- Material preservatives
- Methoprene
- Mineral oils for insect and mite control
- Naphthalene for fabric protection

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- N-Octyl bicycloheptene dicarboximide
- Octenol
- Oxalic acid
- Paradichlorobenzene for fabric protection
- Pesticides in aerosol containers
- Pesticides registered under the Pest Control Products Act (Canada) for application to pets
- *Phoma macrostoma*
- Piperonyl butoxide
- Plant growth regulators
- Polybutene bird repellents
- Pyrethrins
- Pyriproxyfen
- Resmethrin
- *Sclerotinia minor*
- Silica aerogel, also referred to as silica gel, amorphous silica and amorphous silica gel
- Silicon dioxide also referred to as “diatomaceous earth”
- Slimicides
- Soaps
- Sodium chloride
- Spinosad
- Sulphur, including lime sulphur, sulphide sulphur and calcium polysulphide
- Surfactants
- Swimming pool algicides and bactericides
- Tetramethrin
- Thymol
- Wood preservatives
- Zinc strips