

MUNICIPAL BY-LAW ON THE USE OF PESTICIDES

At its regular meeting of March 7, 2005, Municipal Council adopted a By-Law governing the use of pesticides to protect public health and the environment.

“Pesticides” include all substances, matter and micro-organisms used to control, destroy, reduce, attract or repel, directly or indirectly, any harmful, noxious nuisances towards humans, fauna, vegetation, or other types of goods used as a means of regulating plant growth and development. Pesticides include, but are not limited to, all herbicides, fungicides, insecticides or biocides.

The By-Law governs the application of pesticides on all public properties, as well as all private properties within the Municipality’s territory. In essence, the application of pesticides is prohibited throughout the Municipality. However, the By-Law does not apply to the application of pesticides within buildings. The By-Law also does not apply to farms that use pesticides on a property that is used for agricultural or horticultural business.

Pesticides can be used to control or destroy insects that infest a property, as long as the infestation has been confirmed, in writing, by a Municipal inspector. However, in such cases, the pesticide application is limited to the area where the infestation has been confirmed.

The application of pesticides is permitted on a golf course for a period of five (5) years, commencing on the date that the By-Law comes into effect. On the day immediately following the fifth anniversary of the date that the By-Law has come into force, golf courses will be governed by the same pesticide restrictions applied to all other properties within the territory of the Municipality.

AUTHORIZED APPLICATION OF PESTICIDES

Before applying a pesticide, the property owner must obtain a permit from the Municipality and must conform to its policies and procedures governing the use of pesticides. The property owner must also install signs that are easily visible from all streets or pathways that are adjacent to the treated property. In addition, each sign must be installed 24 hours before the pesticides are applied and must remain in place for a minimum of 24 hours after its application. As well, each sign must measure a minimum of 12 cm by 17 cm and should be manufactured, installed and supported by materials that can withstand inclement weather.

PESTICIDE RESTRICTIONS

No pesticides are to be applied within a zone of two (2) metres from within the property line unless written consent is obtained from the adjacent property owner(s).

No pesticides are to be applied within a zone of fifteen (15) metres from a surface well or within a zone of three (3) metres for an artesian well.

No pesticides are permitted within a ten (10) metre zone of the following areas:

- river, lake, creek, pond or water way;
- water basin created by a defined embankment that could be used to collect water;
- all canals or conduits used to collect water from rain / streams from other adjacent properties;
- wetlands.

No pesticides are to be applied when it rains unless the weather forecast allows enough time for a proper application.

No pesticide applications are permitted when the outside temperature exceeds 27°C unless stated otherwise on the pesticide label.

No pesticides are to be applied when trees are in blossom.

RESPONSIBILITIES AND PENALTIES

The Municipality is responsible in applying the By-Law. Municipal inspectors or designated officers are authorized to write up infractions and hand out fines.

For the first infraction, the fine is set at a minimum of \$500 and a maximum of \$2,000 for a person *or* a minimum of \$2,000 to a maximum of \$5,000 for an enterprise.

For all subsequent infractions, the fine is set at a minimum of \$1,000 and a maximum of \$5,000 for a person *or* a minimum of \$3,000 to a maximum de \$10,000 for an enterprise.

In addition, if an infraction spans more than one (1) day, **each additional day** shall constitute a distinct and separate infraction.

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