

VILLAGE OF CHASE
Bylaw No. 907-2021

A Bylaw to Regulate the Use of Pesticides

WHEREAS environmental protection has emerged as a fundamental value in Canadian society;

AND WHEREAS under the provisions of Section 8 (3)(j) of the *Community Charter*, Council may, by bylaw, regulate the non-essential and cosmetic application of pesticides for the protection of the natural environment;

NOW THEREFORE the Council of the Village of Chase, in open meeting assembled,
ENACTS AS FOLLOWS:

1. This bylaw may be cited for all purposes as “Village of Chase Pesticide Use Control Bylaw No. 907-2021.”

DEFINITIONS

- 2.1 In this bylaw:

"Cosmetic Purposes" means for the purpose of maintaining outdoor trees, shrubs, flowers, ornamental plants, or turf on a parcel or part of a parcel if the parcel or part is used for residential purposes, or on land vested in the Village.

"Permitted Pesticide" means a Pesticide as listed in Schedules 2 and 5 of the *Integrated Pest Management Regulation*, B.C. Reg. 234/2015, as amended from time to time.

“Person” means any individual, firm, company, association, society, corporate group, or municipality.

"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.

"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, but is not limited to:

- a) a plant growth regulator, plant defoliator or plant desiccant;
- b) a control product as defined in the *Pest Control Products Act* (Canada); and
- c) a substance that is classified as a pesticide by the *Integrated Pest Management Act* (British Columbia).

"Private Residential Land" means a parcel or part of a parcel if the parcel or part is used for residential purposes in the Village.

"Public Land" means all property held entirely or in part by the Village of Chase.

"Village" means the Village of Chase.

REGULATION

- 3.1 No Person shall apply or cause or permit, express or implied, the application or use of a Pesticide, other than a Permitted Pesticide, on Private Residential Land or Public Land within the Village.

EXEMPTIONS

- 4.1 Section 3 does not apply to a Pesticide that is applied:
- a) for the management of pests that transmit human diseases or impact agriculture or forestry,
 - b) on the residential areas of farms,
 - c) to buildings or inside buildings,
 - d) on land used for agriculture, forestry, transportation, public utilities or pipelines unless the public utility or pipeline is vested in the Village, or
 - e) to control weeds that are designated as a noxious weed under *the Weed Control Act* (British Columbia).

OFFENCES AND PENALTIES

- 5.1 No person shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
- 5.2. Every person who violates any provision of this bylaw, or who permits any act or thing to be done in contravention of this bylaw, or who fails to do any act or thing required by this bylaw, shall be deemed to have committed an offence against this bylaw and:
- a) shall be liable to a fine set out in the *Village of Chase Municipal Ticket Information Bylaw*; or
 - b) shall be liable, upon summary conviction, to the penalties provided under the *Offence Act*; or
- any combination of the above.
- 5.3 Each day that an offence against this bylaw continues shall be deemed a separate and distinct offence.

5.4 Any penalty imposed pursuant to this bylaw shall be in addition to, and not in substitution for, any other penalty or remedy imposed pursuant to any other applicable statute, law, or legislation.

SEVERABILITY

6.1 If any provision of this bylaw is held to be invalid by a court of competent jurisdiction, the provision may be severed from the bylaw and such invalidity shall not affect the validity of the remaining portions of this bylaw.

READ A FIRST TIME THIS 22nd DAY OF JUNE, 2021

READ A SECOND TIME THIS 22nd DAY OF JUNE, 2021

READ A THIRD TIME THIS 22nd DAY OF JUNE, 2021

ADOPTED THIS 13th DAY OF JULY, 2021

Rod Crowe, Mayor

Sean O'Flaherty, Corporate Officer