



## 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

**PEST**

means an animal, a plant or other organism that is injurious, noxious or troublesome, whether directly or indirectly, 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 an 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 cause to be **used**, a **pesticide** for the purpose of maintaining outdoor trees, shrubs, flowers, other ornamental plants or turf 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;
  - (e) buildings or inside buildings;

Bylaw 8514

- (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; and
- (h) the **use** of a **biological control** to control or eradicate a **pest**.

**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

SEP 28 2009

SECOND READING

SEP 28 2009

THIRD READING

SEP 28 2009

ADOPTED

CITY OF RICHMOND
REVIEWED for content by originating department

APPROVED for legality by Solicitor


\_\_\_\_\_  
MAYOR

\_\_\_\_\_  
CORPORATE OFFICER

## Schedule "A" Excluded Pesticides

- 1 acetic acid (DOMESTIC)
- 2 animal repellents (DOMESTIC and COMMERCIAL) except thiram
- 3 anti-fouling paints (DOMESTIC and COMMERCIAL)
- 4 antistain wood preservatives used on private, industrial land owned by the company or person responsible for the application (COMMERCIAL)
- 5 asphalt solids (pruning paints) (DOMESTIC and COMMERCIAL)
- 6 bacillus thuringiensis kurstaki (Btk) (DOMESTIC)
- 7 bactericides used in petroleum products (DOMESTIC and COMMERCIAL)
- 8 boron compounds (DOMESTIC)
- 9 boron compounds with up to 5% copper for insect control and wood preservation (COMMERCIAL)
- 10 capsaicin (DOMESTIC, COMMERCIAL and RESTRICTED)
- 11 cleansers (DOMESTIC and COMMERCIAL)
- 12 corn gluten meal (DOMESTIC and COMMERCIAL)
- 13 d-phenothryn (DOMESTIC)
- 14 d-trans-allethrin, also referred to as d-cis, trans allethrin (DOMESTIC)
- 15 deodorizers (DOMESTIC and COMMERCIAL)
- 16 fatty acids (DOMESTIC)
- 17 ferric phosphate (DOMESTIC and COMMERCIAL)
- 18 ferrous sulphate (DOMESTIC and COMMERCIAL)
- 19 hard surface disinfectants (DOMESTIC and COMMERCIAL)
- 20 insect bait stations (DOMESTIC)
- 21 insect pheromones (DOMESTIC and COMMERCIAL)
- 22 insect repellents (DOMESTIC)
- 23 laundry additives (DOMESTIC and COMMERCIAL)
- 24 material preservatives (DOMESTIC and COMMERCIAL)
- 25 methoprene (DOMESTIC)
- 26 mineral oils for insect and mite control (DOMESTIC)
- 27 n-octyl bicycloheptene dicarboximide (DOMESTIC)
- 28 naphthalene for fabric protection (DOMESTIC)
- 29 paradichlorobenzene for fabric protection (DOMESTIC)
- 30 pesticides in aerosol containers (DOMESTIC)
- 31 pesticides registered under the federal Act for application to pets (DOMESTIC and COMMERCIAL)
- 32 piperonyl butoxide (DOMESTIC)
- 33 plant growth regulators (DOMESTIC)
- 34 polybutene bird repellents (DOMESTIC and COMMERCIAL)
- 35 pyrethrins (DOMESTIC)
- 36 resmethrin (DOMESTIC)

## Bylaw 8514

- 37 rotenone (DOMESTIC)
  - 38 silica aerogel, also referred to as silica gel, amorphous silica and amorphous silica gel (DOMESTIC and COMMERCIAL)
  - 39 silicon dioxide, also referred to as "diatomaceous earth" (DOMESTIC and COMMERCIAL)
  - 40 slimicides (COMMERCIAL)
  - 41 soaps (DOMESTIC and COMMERCIAL)
  - 42 sulphur, including lime sulphur, sulphide sulphur and calcium polysulphide (DOMESTIC)
  - 43 surfactants (DOMESTIC and COMMERCIAL)
  - 44 swimming pool algicides and bactericides (DOMESTIC and COMMERCIAL)
  - 45 tetramethrin (DOMESTIC)
  - 46 wood preservatives (DOMESTIC)
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