



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.

AMENDMENT BYLAW

Bylaw 9574

DATE OF ADOPTION

September 12, 2016

EFFECTIVE DATE

(If different from Date of Adoption)

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