



## THE CORPORATION OF THE CITY OF GRAND FORKS

### PESTICIDE USE CONTROL BYLAW NO. 2118

#### A bylaw to regulate the use of pesticides in the City of Grand Forks.

The Municipal Council for the Corporation of the City of Grand Forks, in open meeting lawfully assembled, **ENACTS** as follows:

#### **Citation**

1. This bylaw may be cited as the "Pesticide Use Control Bylaw No. 2118".

#### **Definitions**

2. In this bylaw, unless the context otherwise requires:
  - 2.1. "**Bylaw Enforcement Officer**" means every person designated by Council as a Bylaw Enforcement Officer for the City, and every Peace Officer;
  - 2.2. "**City**" means the City of Grand Forks;
  - 2.3. "**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 *City*;
  - 2.4. "**Excluded Pesticide**" means a pesticide listed in Schedule 2 of the *Integrated Pest Management Regulation*, BC Reg. No. 604/2004, as amended from time to time;
  - 2.5. "**Farm**" means land classified as farm land under the *Assessment Act* (British Columbia), as amended from time to time;
  - 2.6. "**Land Used for Agriculture**" means land designated as agricultural land under the *Agricultural Land Commission Act* (British Columbia), as amended from time to time, or any predecessor legislation to that Act;
  - 2.7. "**Municipal Ticket Information Bylaw**" means the *City's* Municipal Ticket Information Bylaw No. 2073, as amended or replaced from time to time.
  - 2.8. "**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;
  - 2.9. "**Person**" means any individual, firm, company, association, society, corporate group, or municipality;
  - 2.10. "**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;

- 2.11. **“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:
- 2.11.1. a plant growth regulator, plant defoliator or plant desiccant;
  - 2.11.2. a control product as defined in the *Pest Control Products Act* (Canada); and
  - 2.11.3. a substance that is classified as a pesticide by the *Integrated Pest Management Act* (British Columbia).
- 2.12. **“Private Residential Land”** means a parcel or part of a parcel used for residential purposes in the City.
- 2.13. **“Public Land”** means all property held entirely or in part by the City.

### **Regulation**

3. No *Person* shall use or apply *Pesticides* or grant permission or authority to use or apply *Pesticides for Cosmetic Purposes* on outdoor trees, shrubs, flowers, other ornamental plants, or turf situated on *Private Residential Land*.
4. No *Person* shall use or apply *Pesticides* or grant permission or authority to use or apply *Pesticides for Cosmetic Purposes* on outdoor trees, shrubs, flowers, other ornamental plants, or turf situated on *Public Land* within the City.

### **Exemptions**

5. Section 3 and 4 do not apply to a Pesticide that is:
- 5.1. An *Excluded Pesticide*,
  - 5.2. Applied for the management of *Pests* that transmit human diseases or *for protection of public health* ~~constitute a danger to people~~,
  - 5.3. Applied for the management of *Pests* that impact agriculture or forestry,
  - 5.4. Applied to a building or greenhouse, inside a building or greenhouse, or to a residential area of a *Farm*,
  - 5.5. Applied to fruit/*vegetable* gardens or fruit trees,
  - 5.6. Applied to *Land Used for Agriculture*, a *Farm*, or land used for forestry, transportation, public utility corridors, or pipelines, unless the public utility or pipeline is vested in the City,
  - 5.7. Applied to a public or private swimming pool,
  - 5.8. *Applied to control noxious weeds and/or invasive plants as designated from time to time by the Province of British Columbia or any governmental entity agent thereof*  
~~Applied for the control of weeds that are designated as a noxious weed under the *Weed Control Act* (British Columbia),~~

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- 5.9. Applied to control noxious and/or invasive insects as designated from time to time by the Province of British Columbia or any governmental entity agent thereof; or
- 5.10. Applied on lands vested in the Government of Canada, the Province of British Columbia, or any governmental entity agent thereof.

**Offence and Penalty**

6. No *Person* shall do any act or suffer or permit any act or thing to be done in contravention of this bylaw.
7. Every *Person* who violates a provision of this bylaw, or who suffers or permits any act or thing to be done in contravention of or in violation of any provision of this bylaw, or who neglects to or refrains from doing anything required to be done by any provision of this bylaw, commits an offence and shall be liable, upon conviction, to a fine of not more than \$50,000 and not less than \$250, the costs of prosecution, and any other order imposed pursuant to the *Community Charter* (British Columbia) or the *Offence Act* (British Columbia), as amended from time to time.
8. Each day during which a violation, contravention, or breach of this bylaw continues is deemed to be a separate and distinct offence.
9. Any person designated as a *Bylaw Enforcement Officer* pursuant to the *City of Grand Forks Municipal Ticket Information Bylaw* is hereby authorized and empowered to enforce the provisions of this bylaw by the *Municipal Ticket Information Bylaw*.
10. 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.

**General**

11. Any enactment referred to herein is a reference to an enactment of British Columbia and regulations thereto, as amended, revised, consolidated, or replaced from time to time.
12. If any section, paragraph, or phrase of this bylaw is for any reason held to be invalid by a decision of a Court of competent jurisdiction, such decision will not affect the validity of the remaining portions of this bylaw.

Read a first and second time by the Municipal Council this 10<sup>th</sup> day of February, 2025.

Read a third time by the Municipal Council this 6<sup>th</sup> day of October, 2025.

Adopted this \_\_\_\_ day of \_\_\_\_\_, 2025.

\_\_\_\_\_  
Mayor – Everett Baker

\_\_\_\_\_  
Corporate Officer – Kevin McKinnon

**CERTIFICATE**

I hereby certify the foregoing to be a true and correct copy of Bylaw No. 2118, cited as the “Pesticide Use Control Bylaw No. 2118”, as passed by the Municipal Council on the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

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Corporate Officer of the Municipal Council of the  
City of Grand Forks