

**REPEALED BY THE NEIGHBOURHOOD LIVEABILITY BY-LAW NO. 1/2008
JANUARY 23, 2008
(effective November 1, 2008)**

CONSOLIDATION UPDATE: DECEMBER 11, 2002

**TERMITE CONTROL BY-LAW
NO. 4891/88**

**A By-law OF THE CITY OF WINNIPEG to control
termites.**

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:
amended 8162/2002

1. In this by-law:
 - (1) **"Termite"** - includes the egg, nymph and adult stages of a termite.
 - (2) **"Inspector"** - means a person appointed as such by the Director of The City of Winnipeg's Planning, Property and Development Department.
amended 8162/2002
 - (3) **"Owner"** - means a person who is an owner of a freehold estate in the City and includes a person who is the owner of such an estate jointly with another person and a person who is registered under the Condominium Act as the owner, as defined in that Act, or a unit under that Act and includes:
 - (a) for the time being managing or receiving the rent of the land or premises in connection with which the work "owner" is used, whether on his own account or as agent or trustee of any other person, or
 - (b) who would so receive the rent if such land and premises were let, or
 - (c) a vendor of such land under an agreement for sale who has paid any land taxes thereon after the effective date of the agreement, or
 - (d) the person for the time being receiving instalments of the purchase price of the land or premises in connection with which the word "owner" is used, sold under an agreement for sale whether on his own account or as an agent or trustee of any other person, or

- (e) who would so receive the instalments of the purchase price if such land or premises were sold under an agreement for sale.

1.1 An inspector and his/her delegate may conduct inspections and take steps to administer and enforce this by-law or remedy a contravention of this by-law in accordance with *The City of Winnipeg Charter*¹ and, for these purposes, has the powers of a "designated employee" under *The City of Winnipeg Charter*.

amended 8162/2002

2. No owner shall allow termites to exist upon any property owned by him.

3. Where termites are found in, on or around any building, structure, or any other wooden or order to the owner of the property requiring, that within such time period as may be specified in the order, that:

- (1) The building or structure be made resistant to termites by treating the soil adjacent thereto by a licensed pesticide applicator in such a manner and by such means as may be specified in cellulose material including poles, fences, trees and stumps, an inspector may give a written the order or requiring that the building or structure be made resistant to termites by such other means as specified in the order;
- (2) The pole, fence, tree, stump or other wooden or cellulose material be treated as specified in the order or be removed and destroyed in such manner or by such method as specified in the order.

amended 8162/2002

4. Where termites have been found in, on or around any building or structure, the building or structure shall not be moved or relocated unless the soil is treated pursuant to Subsection 3.(1) and the Inspector is satisfied that the building or structure is free of termites.

5. No person shall erect a building or structure, in which wood structural members are used, within 100 metres of a location or area which is or has been infested with termites, unless the soil below the foundations and the lowest floor of the building or structure and the soil adjacent to the foundation walls and supporting piers is treated in such a manner that there is no sub-grade access to the building or structure by termites except through the treated soil.

6. An order to remedy a contravention of this by-law must be issued and served in accordance with *The City of Winnipeg Charter*.²

amended 8162/2002

7. Where an address for sending a notice, order, decision or other document is required, one of the following shall be used:

(a) if the person to be served is the owner of the real property, the address maintained by the tax collector for the purpose of issuing the tax notice for that property; and

(b) if the person to be served is the occupant of real property, the street address for that property.

amended 8162/2002

8. An appeal from an order to remedy a contravention of the by-law may be made in accordance with *The City of Winnipeg Charter*³ to the Standing Policy Committee on Property and Development.

amended 8162/2002

9. This by-law shall be known as the "**Termite Control By-law**".

amended 8162/2002

DONE AND PASSED in Council assembled this 4th day of May, A.D., 1988.

¹ [See sections 180-181 and sections 183-188 of The City of Winnipeg Charter for information about some of the key powers given to designated employees.](#)

² [See sections 180 to 184 and sections 116 and 117 of The City of Winnipeg Charter for information about the powers given to designated employees to issue compliance orders and how they must be served.](#)

³ [See sections 189 and 121 of The City of Winnipeg Charter for information about appeals, including information about the time limit for appeals and how appeals are to be filed.](#)