THE CITY OF WINNIPEG

BY-LAW NO. 99/2008

A By-law of THE CITY OF WINNIPEG to regulate the use of pesticides in The City of Winnipeg.

THE CITY OF WINNIPEG, in Council assembled, enacts as follows:

Short Title

1 This By-law may be referred to as the "Pesticide Management By-law".

Definitions

2 In this By-law

"**commercial applicator**" means any person, firm or corporation any part of whose business involves the application and use of pesticides for a fee, charge or other valuable consideration, as defined in the *Manitoba Pesticide and Fertilizers Control Act*;

"**enclosed**" means bounded by a roof or ceiling and walls with an appropriate opening or openings for access in and out, whereby such opening are equipped with doors which are kept closed except when actually in use for entry or exit;

"**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;

"**pesticide**" means any one or more of:

(a) 2,4-D
(b) Mecoprop
(c) Dicamba
(d) Glyphosate
(e) Carbaryl

which are registered as control products under the federal *Pest Control Products Act* or *The Fertilizers Act* and whether or not used individually or in combination with any other product.

Restrictions

3 No commercial applicator shall apply or cause or permit the application of any pesticide unless:

(a) Signs, which shall be a minimum of 20.32 centimetres by 25.4 centimetres (8 inches x 10 inches) and made of weatherproof material, are posted on all usual access pathways to the property at the time of application and remain posted for a 24 hour period thereafter;

(b) The signs contain the following information:

(i) date and time treated;
(ii) pesticide used;
(iii) what the pesticide is intended to control;
(iv) the applicator's telephone number;
(v) a symbol encouraging caution.

Permitted Pesticide Uses

4 Notwithstanding Section 3, signs are not required for the following pesticide applications:

(a) to disinfect swimming pools, whirlpools, spas or wading pools;
(b) to purify water intended for the use of humans or animals;
(c) within an enclosed building;
(d) as a wood preservative.

Penalties

5 Every commercial applicator who fails to comply with the provisions of this By-law is guilty of an offence and is liable on summary conviction to the penalties set forth in *The City of Winnipeg Charter*.

Coming Into Force

6 This By-law comes into force on January 1, 2009.

DONE AND PASSED this day of , 2008.

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Mayor

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City Clerk

Approved as to form:

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City Solicitor/Manager of Legal Services