Agenda – Council – April 29, 2015

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – April 14, 2015

Item No. 7 Appointment of Weed Inspectors under the Noxious Weeds Act

STANDING COMMITTEE RECOMMENDATION:

On April 22, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works and submitted the following to Council:

1. That approval be given for the recommendation of the Winnipeg Public Service the appointment of John Huard-Bernuy (By-law Enforcement Officer – Community Services), Keith Studeny (Weed Inspector – Public Works) and Ken Kingsland (Weed Inspector – Public Works) as Municipal Noxious Weed Inspectors under the *Noxious Weeds Act* for 2015.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

Report – Standing Policy Committee on Infrastructure Renewal and Public Works – April 14, 2015

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 22, 2015, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Infrastructure Renewal and Public Works, and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 14, 2015, the Standing Policy Committee on Infrastructure Renewal and Public Works concurred in the recommendation of the Winnipeg Public Service and submitted the following to Council:

1. That approval be given for the recommendation of the Winnipeg Public Service the appointment of John Huard-Bernuy (By-law Enforcement Officer – Community Services), Keith Studeny (Weed Inspector – Public Works) and Ken Kingsland (Weed Inspector – Public Works) as Municipal Noxious Weed Inspectors under the *Noxious Weeds Act* for 2015.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the foregoing.

ADMINISTRATIVE REPORT

Title: Appointment of Weed Inspectors under the Noxious Weeds Act

Critical Path: Standing Policy Committee on Infrastructure Renewal and Public Works - Executive Policy Committee - Council

AUTHORIZATION

Author	Department Head	CFO	CAO
D.Domke	B.W. Sacher, P. Eng.	G. Chartier, Acting	M. Jack, Acting

RECOMMENDATIONS

That Council approve the recommendation of the Winnipeg Public Service the appointment of John Huard-Bernuy (By-law Enforcement Officer – Community Services), Keith Studeny (Weed Inspector – Public Works) and Ken Kingsland (Weed Inspector – Public Works) as Municipal Noxious Weed Inspectors under the *Noxious Weeds Act* for 2015.

REASON FOR THE REPORT

Section 11(1) of Manitoba's *Noxious Weeds Act* requires that "every municipal council shall, not later than March 1 in each year, appoint by resolution at least one official to be known as "municipal noxious weeds inspector…" The role of the Municipal Noxious Weeds Inspector is to ensure the Act is followed.

The Act also states that, "Where a municipal council neglects or refuses to appoint and employ a municipal noxious weeds inspector as required under this Act, the minister may, … appoint and employ a person for the service; and that amount shall be paid out of the funds of the municipality…" (Section 14(1).

IMPLICATIONS OF THE RECOMMENDATIONS

Appointing the above staff as municipal noxious weeds inspectors brings the City of Winnipeg in compliance with the Provincial *Noxious Weeds Act*.

The duties of the appointees fall within the scope the positions held by the appointees, and will have no financial impact on either department.

The period of employment for the Weed Inspectors working for Public Works will be April – November but there will still be one inspector employed at Community Services to meet the requirement.

The City of Winnipeg has requested an extension from the Province for the March 1 deadline for these appointments.

HISTORY

The City of Winnipeg has not recently appointed a Municipal Noxious Weeds Inspector under the *Noxious Weeds Act* for a number of years because the Neighborhood Livability By-law primarily regulates vegetation on private properties through Section 8:

> "8(2) Other than on properties zoned for agricultural grazing and feeding and agricultural cultivation, turf must be kept trimmed to a maximum length of 15 cm (6 inches).

8(3) Noxious weeds must be controlled on all properties."

The Province of Manitoba has specifically requested that the City of Winnipeg appoint a Municipal Noxious Weeds Inspector for 2015.

Although the By-law is the primary enforcement tool for controlling long grass and weeds in the City, the Province's *Noxious Weeds Act* still compels the City to appoint a Noxious Weed Inspector(s). Appointing these individuals as Municipal Noxious Weed Inspectors ensures the City will have the authority to control long grass and noxious weeds on property throughout the City of Winnipeg.

FINANCIAL IMPACT

Financial Impact Statemen Date: March 27, 2015

Project Name: **Appointment of Weed Inspectors under the Noxious Weeds Act**

COMMENTS:

There is no financial impact associated with the recommendation in this report.

"Original Signed by D. Stewart, CA"
D Stewart CA
Manager of Finance & Administration

CONSULTATION

In preparing this Report there was consultation with:
Community Services Department

SUBMITTED BY

Department: Public Works
Prepared by: K. Lucyk/D.Domke
Processed by:
Date: March 17, 2015