Minute No. 403
Report – Standing Policy Committee on Protection, Community Services and Parks – June 6, 2016

Item No. 1 Appointment of Weeds Inspectors under the Noxious Weeds Act

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Protection, Community Services and Parks and adopted the following:

1. That John Bernuy (By-law Enforcement Officer – Community Services), Keith Studeny (Weeds Inspector – Public Works) and Ken Kingsland (Weeds Inspector – Public Works) be appointed as Municipal Noxious Weeds Inspectors under the Noxious Weeds Act.

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 Protection, Community Services and Parks – June 6, 2016

DECISION MAKING HISTORY:

Moved by Councillor Pagtakhan,

That the recommendation of the Standing Policy Committee on Protection, Community Services and Parks be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On June 8, 2016, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection, Community Services and Parks and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On June 6, 2016, the Standing Policy Committee on Protection, Community Services and Parks concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

ADMINISTRATIVE REPORT

Title: Appointment of Weeds Inspectors Under the Noxious Weeds Act

Critical Path: Standing Policy Committee on Protection, Community Services and Parks – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO/COO
D. Domke	L. Escobar, P.Eng., P.T.O.E. on behalf of L. P. Deane	N/A	M. Jack COO

RECOMMENDATIONS

That John Bernuy (By-law Enforcement Officer – Community Services), Keith Studeny (Weeds Inspector – Public Works) and Ken Kingsland (Weeds Inspector – Public Works) be appointed as Municipal Noxious Weeds Inspectors under the *Noxious Weeds Act*.

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.

Furthermore, Section 14 (1) of 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…".

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.

EXECUTIVE SUMMARY

The Provincial Noxious Weeds Act requires every municipal council to appoint at least one official by resolution to be known as the "municipal noxious Weeds inspector". The individuals recommended this year also filled these roles last year, John Bernuy (By-law Enforcement Officer – Community Services), Keith Studeny (Weeds Inspector – Public Works) and Ken Kingsland (Weeds Inspector – Public Works).

HISTORY

The Province of Manitoba specifically requested that the City of Winnipeg appoint a Municipal Noxious Weeds Inspector in 2015. The three individuals appointed by Council in 2015 are again being recommended to be appointed in 2016.
Until 2015 the City of Winnipeg had not recently appointed a Municipal Noxious Weeds Inspector under the *Noxious Weeds Act* 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."

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 Weeds Inspector(s). Appointing these individuals as Municipal Noxious Weeds 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 Statement Date: March 23, 2016

Project Name:

Appointment of Weeds Inspectors Under the Noxious Weeds Act

COMMENTS:

There are no financial implications associated with the recommendation of 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

OURWINNIPEG POLICY ALIGNMENT

***A Sustainable Winnipeg* Section 09 Continue to Respect and Value our Natural and Built Environment**

Direction 2: Recognize and Preserve Winnipeg's Parks Green Spaces and Riverbanks as Green Oases in Our Urban Setting

Direction 5: Provide Safe and Effective Pest and Weeds Control in City Operations.

SUBMITTED BY

Department: Public Works
Division: Parks and Open Space
Prepared by: Rodney Penner, City Naturalist
Dave Domke, Manager Parks and Open Space
Date: March 23, 2016