Agenda – Council – April 26, 2018

Report – Standing Policy Committee on Protection, Community Services and Parks – April 10, 2018

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

STANDING COMMITTEE RECOMMENDATION:

On April 17, 2018, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Protection, Community Services and Parks and submitted the following to Council:

1. That John Bernuy (By-law Enforcement Officer – Community Services Department), Keith Studeny (Weed Inspector – Public Works Department) and Ken Kingsland (Weed Inspector, Public Works) be appointed as Municipal Noxious Weed 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 – April 10, 2018

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 17, 2018, 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 April 10, 2018, 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 Weed 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
D. Domke	J. Berezowsky Director of Public Works	N/A	D. McNeil

EXECUTIVE SUMMARY

As part of the Provincial *Noxious Weed Act* requirements for municipalities, Council is required to appoint a Weed Inspector, or Inspectors, as officials under the Act to ensure compliance. As in the past, the Public Service is recommending three individuals whose primary responsibility is dealing with weeds and vegetation, to be appointed in this role.

RECOMMENDATIONS

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

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

HISTORY/DISCUSSION

Beginning in 2015, The Province of Manitoba specifically requested that the City of Winnipeg appoint a Municipal Noxious Weeds Inspector. The three previously approved individuals are being recommended again in 2018.

Prior to 2015, the City of Winnipeg did not appoint 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 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 Statement **Date:** March 5, 2018

Project Name:

Appointment of Weed Inspectors under the Noxious Weeds Act

COMMENTS:

There is no financial impact of appointing these individuals as Noxious Weed Inspectors.

"Original signed by J. Ruby, CPA, CA"
J. Ruby CPA,CA
Manager of Finance & Administration

CONSULTATION

This Report has been prepared in consultation with:
Community Services Department

OURWINNIPEG POLICY ALIGNMENT

Our Winnipeg – A Sustainable City
02-2 Environment
Direction – Provide safe and effective pest and weed control in City operations.

SUBMITTED BY

Department: Public Works
Division: Parks and Open Space
Prepared by: R. Penner, City Naturalist
D. Domke, Manager Parks and Open Space
Date: March 6, 2018