Agenda – Council – May 27, 2021

Report – Standing Policy Committee on Protection, Community Services and Parks – May 10, 2021

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

STANDING COMMITTEE RECOMMENDATION:

On May 18, 2021, 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 Adam Cunliffe (Community By-law Enforcement Coordinator – 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.

Report – Standing Policy Committee on Protection, Community Services and Parks – May 10, 2021

DECISION MAKING HISTORY:

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On May 18, 2021, 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 May 10, 2021, 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	N/A	M. Ruta, Interim CAO

EXECUTIVE SUMMARY

The City of Winnipeg is compelled under Manitoba's *Noxious Weeds Act* to appoint one or more individuals as Municipal Noxious Weeds Inspectors each year. The responsibilities of this role fall within existing positions within the Public Service. Individuals in these roles need to be appointed by Council resolution each year to remain in compliance with the Act.

RECOMMENDATIONS

1. That Adam Cunliffe (Community By-law Enforcement Coordinator – 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 of the appointees fall within the scope of the positions held by the appointees and will have no financial impact on either department.

HISTORY/DISCUSSION

The Province of Manitoba specifically requested that the City of Winnipeg appoint a Municipal Noxious Weeds Inspector in 2015. Since 2015, Council has appointed three individuals annually and this is recommended again in 2021.

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 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.

The City aims to appoint Noxious Weed Inspector(s) by March 1 annually. However, due to the seasonal aspect of the positions, the roles have been appointed by Council after the March 1 deadline.

FINANCIAL IMPACT

Financial Impact Statement

Date: March 25, 2021

Project Name:

Appointment of Weed Inspectors under the Noxious Weeds Act

COMMENTS:

The duties of the appointees fall within the scope of the positions held by the appointees and will have no additional financial impact on either department. There are no financial implications to the recommendations of this report.

"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

The report is in accordance with the direction strategies of A Sustainable Winnipeg:

- Direction 9: Continue to Respect and Value Our Natural and Built Environment.
- Direction 5: Provide Safe and Effective Pest and Weed Control in City Operations.

WINNIPEG CLIMATE ACTION PLAN ALIGNMENT

The report is in accordance with Strategic Opportunity #7:

- 7.1 Implement Opportunities to Improve Winnipeg's Resilience and Adaptability to the Effects of a Changing Climate (Primary Responsibility: Office of Sustainability).
- 7.3 Preserve and Manage Parks and Natural Areas to Support Climate Change Mitigation (Primary Responsibility: Public Works - Parks).

SUBMITTED BY

Department: Public Works
Division: Parks and Open Space
Prepared by: R. Penner / D. Domke
Date: March 30, 2021