Minutes – Council – April 25, 2024

Minute No. 272
Report – Standing Policy Committee on Community Services – April 10, 2024

Item No. 1 Appointment of Weed Inspectors under The Noxious Weeds Act - 2024

COUNCIL DECISION:

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

1. That Jenny Khounnasene (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 Community Services – April 10, 2024

DECISION MAKING HISTORY:

Moved by Councillor Duncan,

That the recommendation of the Standing Policy Committee on Community Services be adopted by consent.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 16, 2024, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Community Services and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 10, 2024, the Standing Policy Committee on Community Services concurred in the recommendation of the Winnipeg Public Service and submitted the matter to the Executive Policy Committee and Council.

David Grant submitted a communication with respect to the matter.

ADMINISTRATIVE REPORT

Title: Appointment of Weed Inspectors under The Noxious Weeds Act - 2024

Critical Path: Standing Policy Committee on Community Services – Executive Policy Committee – Council

AUTHORIZATION

Author	Department Head	CFO	CAO
D. Domke	J. Berezowsky	N/A	M. Jack

EXECUTIVE SUMMARY

The City of Winnipeg is compelled under *The Noxious Weeds Act* C.C.S.M. c.N110 (the "Act") to appoint at least 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 Jenny Khounnasene (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 a municipal council, by resolution, to appoint at least one official to be known as " *municipal noxious weeds inspector"* to enforce the Act within the municipality and ensure the Act's provisions are complied with.

The Act also states that if a municipal council neglects or refuses to appoint and employ a municipal noxious weeds inspector as required by the Act, on 15 days' notice, the minister may appoint and fix remuneration of a person to perform the duties and exercise the powers of a municipal noxious weeds inspector and the municipality must pay the fixed remuneration (Subsections 14(1) and (1.1)).

IMPLICATIONS OF THE RECOMMENDATIONS

Appointing the above staff as municipal Noxious Weeds Inspectors brings the City of Winnipeg in compliance with the 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.

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 a number of individuals annually based on their existing roles related to weed control, and this is recommended again in 2024.

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 1st annually. However, due to the seasonal aspect of the positions, the roles have been appointed by Council after the March 1st deadline.

FINANCIAL IMPACT

Financial Impact Statement

Date: February 23, 2024

Project Name:

Appointment of Weed Inspectors under The Noxious Weeds Act - 2024

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.

J. Ruby, 2024-02-26

J. Ruby, CPA, CA
Manager of Finance & Administration

CONSULTATION

This Report has been prepared in consultation with:

- Community Services
- Legal Services

OURWINNIPEG POLICY ALIGNMENT

Goal: Environmental Resilience
2.24 Low-Impact Ecosystem Management - Prioritize sustainable, integrated plant, pollinator and pest management, that achieves humane, safe, low-carbon, and low-chemical solutions to support the health of local ecosystems.

Complete Communities 2.0
G3. Parks and Recreation
Ecological function
4.3 Design and manage open space and park areas for their highest environmental and ecological performance:

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
- 7.3 Preserve and Manage Parks and Natural Areas to Support Climate Change Mitigation

WINNIPEG POVERTY REDUCTION STRATEGY ALIGNMENT

The report is in accordance with:

- Goal 6: All City Services are Equitable, Inclusive and Accessible
- Goal 7: Food Security and Food System Resilience is Expanded

SUBMITTED BY

Department: Public Works
Division: Parks and Open Space
Prepared by: R. Penner / D. Domke
Date: March 5, 2024