

Pesticide Free Canada

Recent Initiatives to Reduce Cosmetic Pesticide Use in Canadian Municipalities

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Hudson may Not be the Best Example of a Pesticide By-Law

Many municipalities across Canada are considering, or already have, pesticide bylaws. In June 2001, the Supreme Court of Canada upheld the ruling that the town of Hudson, Quebec had jurisdiction to enact a bylaw that would protect the health of its citizens (a bylaw restricting the spraying of pesticides on private property). This ruling has motivated concerned citizens across Canada to seek similar pesticide bylaws.

The New City of Hamilton Coalition on Pesticide Issues (HCPI) has an understanding that, unlike the Halifax by-law, the municipality of Hudson did not have a provision for pesticide use in extreme or rare cases. When such a situation was presented shortly after the by-law was instated, and with no provision for extreme case pesticide use, the municipality had to ignore it's own by-law, thus negating the credibility of the by-law.

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The HCPI supports the Halifax by-law due to the possibility of using pesticides in extreme cases, as a last resort. It is our understanding that if a homeowner feels it is necessary to use a banned pesticide (as defined in the by-law); an application permit can be obtained to grant permission to use the substance. Questions on the application form include, but are not limited to: a description of infestation or disease to be treated, substance to be used, and application method and safety precautions. The purpose of this application form is to increase the level of awareness for the homeowner on safety precautions and adds a higher level of respect for the substance being used. The time required for the application process should deter homeowners from using chemical pesticides and should guide them to explore safe alternative methods.

The list below outlines activities in many municipalities across Canada as they relate to cosmetic pesticide use on public and private lands.

The list follows a loose structure of:

- . By-laws*
- . By-Laws in various stages of development*
- . Policies*
- . Policies in various stages of development*

If you have any updates, or information within this document is not correct, please send any changes, questions or comments to water@greenventure.on.ca. or call 905-540-8787 ext. 17.

Halifax Pesticide By-Law

From the Halifax City Website.

www.region.halifax.ns.ca/pesticides/index.html

Halifax Regional Municipal Council has passed a by-law to regulate certain aspects of pesticide use. The by-law is authorised by the province of Nova Scotia under the Municipal Government Act, specifically Section 533, which allows an HRM by-law to regulate outdoor application of pesticides for the purpose of maintaining plants and turf on residential and municipal properties.

Various provisions of the by-law come into effect at different times, as outlined below.

Year 1 (2000):

Immediately: A ban on the use of pesticides on all municipal property begins, and a public education and awareness program will be initiated. Certain limitations apply to the use of pesticides, relating to **signs required**, weather conditions, etc. See by-law (P-800), Section 11.

Years 2&3 (2001/02):

Commencing April 1, 2001: A ban on the use of pesticides on residential properties located within a 50 metre radius of:

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- a property registered as being occupied by a person at risk who provides medical documentation; or
- any school, licensed day care center, park, playground, licensed senior citizens' residence, university, church or hospital.

Year 4 (2003):

Commencing April 1, 2003: A general ban on the use of pesticides will apply to all properties in HRM affected by the by-law.

Under the provincial Municipal Government Act, the by-law applies to all **residential and municipal properties** in HRM, and applies to the **outdoor use** of pesticides for **maintenance of plants and turf**. The by-law does not apply to property used for agriculture or forestry, and does not apply to commercial or institutional properties. The by-law does not apply to indoor use of pesticides, or to outdoor use for other than plant and turf maintenance.

A list of pesticide products which are permissible for use under the by-law has been created under Administrative Order 23. These products are excluded from the provisions of the by-law and may be used at any time.

Provision will be made for otherwise banned pesticides to be used in special cases, specifically to control or destroy plants or insects if such plants or insects constitute a danger for human beings, or to control or destroy insects which have infested a property. Such use will require a permit in advance from HRM, and is subject to terms and conditions as provided for in the by-law. Details on the Pesticide Application Permit System are now available in the HRM Customer Service Centres.

Various background reports from the Pesticide by-law Advisory Committee and HRM staff are available for additional information.

Russell Township

The Township has passed a bylaw banning cosmetic pesticide use from public lands. Citizen volunteers from the Russell Enviro Team have been distributing pesticide-free lawn signs and information on Lawncare alternatives to pesticides. Council has passed a resolution proclaiming the week prior to Earth Day "National Pesticide-Free Week" for 5 consecutive years.

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Bai D'Urfe, Chelsea, Hudson, Westmount, and Ile Bizzard QB

These are some examples of municipalities in Quebec that have passed pesticide by-laws regarding both public and private lands.

PEI - Montague

A resolution that would ban cosmetic pesticides from sensitive areas across P.E.I. was taken in a tie-breaking vote. The town of Montague became the first municipality to pass a motion urging a provincial government ban on cosmetic pesticides from being used within 100 metres of areas such as schools, hospitals and environmentally sensitive homes.

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Several councillors were opposed and cited the individual's right to eradicate dandelions and control bugs and beetles, but those driving the motion said the individual's right to breathe without being contaminated was more important.

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Victoria, BC and District of Saanich

A draft bylaw is being developed by Victoria's regional government that will be made available to the 13 member municipalities in the region for eventual adoption. So far, City of Victoria and District of Saanich, the two largest municipalities population-wise, are making progress and have some level of political commitment to pursuing bylaws, but movement is guarded to provide opportunity to build public awareness and support.

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Waterloo Region

The Region has sent out a letter to the three cities and four townships asking for a response by the end of November as to whether they want the Region to co-ordinate the bylaw process. All 7 cities and townships agreed at their council meetings for the Regional Municipality of Waterloo to co-ordinate the issue of pesticide use (private and public). Co-ordinated by the Health Dept with a staff rep from each of the 7 municipalities, a committee has met and drawn up terms of reference for the committee. At this point the public is not part of that process.

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Waterloo Region,
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Stratford

Stratford City Council established a Pesticide-Use Committee with a three year term (currently in its second year) to provide recommendations on how the city can reduce the amount of pesticides it uses on public lands by 50% by 2003. January 28th, 2002 city council will vote on new recommendations to reduce spraying by 90% in 2002.

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Energy and Environment Standing Committee of Stratford City Council discussed the development of a municipal bylaw to restrict cosmetic pesticide use on residential property on Tuesday, November 13th. They have now set up a committee to make recommendations about the bylaw at the February 2002 meeting.

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Ottawa

City Council took a step closer to a bylaw banning the cosmetic use of pesticides in Ottawa's urban area by adopting a Pesticide Reduction Strategy, which includes \$400,000 to develop a public education campaign on safer alternatives to pesticides.

Council's decision follows on earlier decisions to ban the cosmetic use of pesticides on City property (May 2001), and to develop a pesticide reduction strategy for private property (October 2001). The City's Pesticide Reduction Strategy will encourage the reduction in the cosmetic use of pesticides based on a proactive public education campaign that provides a sound understanding of the health and environmental impacts of pesticides and promotes the benefits and methods of safer alternatives to pesticide use.

Cullen noted that following the completion of the public education campaign this fall, City Council will then consider introducing a bylaw to ban the cosmetic use of pesticides.

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Owen Sound

On Feb 4 Owen Sound council agreed in principle to restrict the cosmetic use of pesticides on public and private property through the creation of a bylaw. The motion was put forward by Councillor Dick Hibma who stated that he was "willing to err on the side of safety ... for the population and the

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environment ... and the coexistence of species." All other six council members voted in favour of the motion, while the mayor, Rick Beaney, was opposed. The city intends to circulate this resolution to the 24 other Ontario municipalities that are currently considering pesticide bylaws so that a collaborative effort may be undertaken to decrease expense. The city will take the issue to the Association of Municipalities of Ontario (AMO) to help facilitate the process among Ontario's municipalities. Councillor Anne Kelly, stated "the time to look for leadership is now ... maybe leadership is sitting around this table." The Owen Sound Rachel Carson League was responsible for bringing the issue to council and was elated with their decision, breaking out in applause once the motion had been passed.

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Caledon

Caledon City Council is currently reviewing a draft bylaw restricting the use of cosmetic pesticides on residential property and held a public hearing on the issue on September 24th that was attended by over 200 community members. Caledon, in cooperation with the region of Peel, has coordinated a "Pesticide Symposium 2002" to take place on February 13th, 2002, to discuss the health effects, regulatory framework, and opportunities for reduction of pesticides.

Contact:

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Guelph

In 2000 Guelph city council adopted a five year phase out of pesticides on publicly owned lands. Community volunteers, in partnership with the city, developed a public education and awareness program about alternatives to pesticide use. The city is currently working on a public process to look at pesticide restrictions on all lands within the city.

Contact:

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Steady Brook, NFLD

The Town of Steady Brook has passed a motion or order of council that pesticides will not be used on Town property. The City of Corner Brook has gone on Public Record that they also will not use pesticides on Municipal Property. There was an order in Council passed by the Town of Pasadena that pesticides will not be used on there parks and recreational areas.

Contact:

Bob Diamond
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Humber Environment Action Group
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Quispamsis, NB

For the past 6 years, Quispamsis has had a policy of no pesticides on public grounds. A by-law is under review with regards to private property.

Contact:

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Toronto

In 1998 Toronto City Council passed a motion to phase out pesticides on public lands. Presently, the City's outdoor pesticide use has been reduced by 97%. The City has also started a public education campaign regarding the impacts of and alternatives to pesticides. In November 2001, City Council passed a motion to begin developing a strategy to phase-out non-essential uses of pesticides, including a process by which stakeholder and public consultations would take place, and a discussion document would be developed and distributed by Public Health. This discussion document will include a review of research into the health and environmental impacts of pesticides and will be presented to the Board of Health in April 2002.

The Stakeholder consultation took place in January and the Public Consultations are tentatively scheduled for May 2002.

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Durham Region

In the Fall of 1996 Scugog Township (Durham Region) enacted not a by-law, but a pesticide policy. It mainly addresses the issue of using pesticides on public lands. For a copy of this policy, pls. call our Township Office at 905-985-7393.

Our group - the Scugog Green Team - is now strategizing about going to the Council again (it was our visit to them in 1996 that precipitated the policy) for a Hudson-type by-law. We anticipate going to them in April.

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London

City Council on December 3rd, 2001 resolved that a strategy be developed to phase out the non-essential uses of pesticides in London. A task force on Integrated Pest Management Implementation will be established to study the issue and to develop an IPM Community Plan, including a communications program to inform Londoners about pesticide use. The Medical Officer of Health has suggested that the use of pesticides poses a serious threat to public health. In addition, the City will monitor the status and progress of legal aspects related to non-essential use of pesticides.

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York Region / Markham and Stouffville

York Region is in the process of drafting a PESTICIDE REDUCTION GUIDELINES FOR LANDS OWNED BY THE REGIONAL MUNICIPALITY OF YORK. It states that the eventual goal is for the elimination of cosmetic pesticide use. The next committee meeting will be on Jan. 31/02. Within the region of York some municipalities are working on initiatives:

The Pesticide Reduction Steering Committee of the Town of Markham will be starting Pesticide-Free Parks Pilot Project in one ward of the City this spring. Our goal is to educate with the eventual realisation of a pesticide bylaw.

Stouffville banned blanket spraying of pesticides on public parks but still spot sprays. The Environmental Advisory Committee to Council has struck a pesticide sub-committee to discuss strategies to phase-out the cosmetic use of pesticides.

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Hamilton

Hamilton's Parks Department is currently studying a plan to reduce pesticide use on city property. The emphasis is towards an Integrated Plant Health Program (IPHP) which would include as a goal, the progressive reduction of lawn chemical use on municipal parks and open spaces within the City of Hamilton. A taskforce that includes the New City of Hamilton Coalition on Pesticide Issues (HCPI) together with a number of industry representatives has been established to develop a plan.

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The Medical Officer of Health has formed a working committee with the HCPI, industry representatives and various other stakeholders to discuss the possibility of a cosmetic pesticide use phase-out on private lands.

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Barrie

The City of Barrie contracted with a consultant in November 2001 to determine how pesticide use should be addressed by the City of Barrie.

Phase I

Information available is being summarised and relevant issues identified. An interim report is due March 2002. It will provide an outline for Phase II.

Phase II

- a) Early in April 2002 a two-hour public consultation will be held. There will be notification by the City in the local news media.
- b) Draft recommendations on pesticides will be prepared.
- c) A public meeting about the recommendations will be held May 2002.
- d) Final report and policy recommendations will be made to Barrie City Council late in May 2002.

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Collingwood

For the past year the Municipality has been working with an Integrated Plant Healthcare Policy under the guidance of their horticulturist/green space manager, Wendy Martin. The Town's CAO who indicated that they are taking steps to make the policy permanent for this spring.

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Kingston

Paul MacLatchy of Kingston City Council, [Manager Environmental Division of Planning & Services Dept.] is due to submit a report to City Council by end of February.

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Peterborough

The City of Peterborough has convened a committee of citizen, council and industry representatives to develop a strategy for the reduction of cosmetic pesticide use on public and private property. The committee will likely present a formal strategy for to reduce pesticide use on public property by spring.

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Halton Region/ Oakville and Halton Hills

The region of Halton has begun holding stakeholder consultations regarding restricting cosmetic pesticide use on public and residential properties.

Oakville has greatly reduced the use of pesticides on municipally owned lands. Oakville is organising the "2nd People's Forum on Environment & Health" which will be held on March 6. The speakers for the forum are Lori Stahlbrand and Dr Hillary DeVeber. Two City Councillors (Kevin Flynn and Allan Elgar) will be on the panel for the Q&A period.

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Salmon Arm, BC

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The Green Shuswap (green community society) have approached our municipal council and it has passed a resolution (June/01) "to bring forward a program and policy to eliminate the application of pesticides on public land with a view to eventually eliminating the application of pesticides on private property". Green Shuswap is working closely with the District management to bring forward the program.

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