

THE CORPORATION OF THE CITY OF PETERBOROUGH

BY-LAW NUMBER 05-077

BEING A BY-LAW TO REGULATE THE USE OF PESTICIDES WITHIN THE CITY OF PETERBOROUGH

THE CORPORATION OF THE CITY OF PETERBOROUGH BY THE COUNCIL THEREOF HEREBY ENACTS AS FOLLOWS:

WHEREAS Section 130 of the *Municipal Act, 2001* authorizes the City to enact by-laws which provide for the protection of the "health, safety and well-being" of City residents;

AND WHEREAS the Council of the City of Peterborough desires to respond to the concerns expressed by City residents about the health risks associated with the use of pesticides;

AND WHEREAS regulating the non-essential use of pesticides will help to promote and protect the health of City residents.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF PETERBOROUGH BY ITS COUNCIL ENACTS AS FOLLOWS:

Definitions:

1. In this by-law, the following word has the following meaning:

I.P.M. accredited groundskeeper – means a person who:

- (a) obtains and maintains accreditation in a recognized integrated pest management programme from the Audubon Cooperative Sanctuary System of Canada, or equivalent, as determined by the City; and
- (b) provides proof of I.P.M. accreditation to the City Clerk on or before January 31st of each year.

pesticide – means any substance, other than a substance derived from plants, plant extracts or microbial pest control agents, which is intended to:

- (a) control, destroy, reduce, or repel, directly or indirectly, an animal, plant or other organism which is harmful or annoying to a human being; or
- (b) inhibit or prevent the growth of plants.

Offence

2. The application or use of a pesticide is prohibited within the boundaries of the City of Peterborough.

Exceptions

3. Notwithstanding Article 2, it is permitted to apply or use a pesticide in the following cases:
 - (a) In a public or private swimming pool;
 - (b) To purify water for human or animal use;

- (c) Inside of a building;
- (d) On land used for the commercial production of food;
- (e) To control, destroy, reduce or repel, directly or indirectly, an animal, plant or other organism which is harmful to human health; or
- (f) On a golf course, provided that after March 1st, 2007, any such use or application is permitted only under the direction of an I.P.M. accredited groundskeeper.

Penalty

- 4. Any person who contravenes this by-law is guilty of an offence and, upon conviction, is liable to a fine or penalty provided for in the ***Provincial Offences Act***, as amended.

Effective Date

- 5. This By-law comes into force and effect on March 1, 2006.

By-law read a first and second time this 2nd day of May 2005

By-law read a third time and finally passed this 2nd day of May 2005.

Sylvia Sutherland, Mayor

Nancy Wright-Laking, City Clerk