

THE CORPORATION OF THE CITY OF NORTH BAY

BY-LAW NO 2006-54

**BEING A BY-LAW TO AMEND BY-LAW NO. 2005-03,
BEING A BY-LAW TO CONTROL THE USE OF
PESTICIDES IN THE CITY OF NORTH BAY**

WHEREAS Council passed Clause No. 1 to Engineering & Works Committee Report No. 2006-02 which was adopted by Resolution No. 2006-114(b) at its Regular Meeting held on Monday, February 27, 2006 to authorize amendments to By-law No. 2005-03;

NOW, THEREFORE, THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:

DEFINITIONS

1. Section 3(a) (vii) shall be deleted and the following inserted in lieu thereof:

“3.(a) (vii) to maintain a golf course green, fairway or tee.”

2. Section 3(b) shall be deleted and the following inserted in lieu thereof:

“3. (b) (i) Notwithstanding the exemptions contained in Sections 3(a) (iv) (infestations) and 3(a) (v) (health hazards), no person shall apply a pesticide within 30 metres (98 feet) of lakes, rivers and streams.

(ii) Notwithstanding the exemptions contained in Sections 3(a) (iv) (infestations) and 3(a) (v) (health hazards), no person shall apply a pesticide when it is raining or forecast to rain, or when wind velocity is stronger than 11 kilometres per hour.”

3. Section 3 shall be amended by adding the following:

“3.(g) An applicator using a pesticide product, if the application is made for the purposes as indicated in Section 3(a) (iv) or 3(a) (v) shall immediately post a Warning sign in a conspicuous location on the treated property which is to remain for a 24-hour period after posting. The following information shall be clearly marked on the sign:

- (i) warning of pesticide use;
- (ii) type of pesticide used;
- (iii) type of pest being controlled;
- (iv) the date and time the sign was posted; and
- (v) the date the lawn was treated.

(h) Any retailer within the City of North Bay that sells a product that contains a pesticide shall place a Notice sign in a conspicuous location at the point-of-sale which alerts all purchasers that the City of North Bay has restricted use and placed notification requirements on lawn and garden products containing a pesticide and used within the corporate limits of the City of North Bay.”

4. Schedule “A” to By-Law No. 2005-03, Class C Sites shall be amended by deleting the following:

“- environmentally sensitive areas (including lawn and gardens within 15 metres of a lake or flowing river or stream)”

and inserting the following in lieu thereof:

“- environmentally sensitive areas (including lawns and gardens within 30 metres of a lake or flowing river or stream)”

5. Schedule "A" to By-Law No. 2005-03, Class B Sites shall be amended by adding:
 - "golf course roughs"
6. Schedule "A" to By-Law No. 2005-03, "Weed Thresholds Based on Site Classifications" table shall be deleted and the following inserted in lieu thereof:

Site Classification	Site Qualities	Action/Threshold	Limitations
Class A:	High Value/Low Contact	From 20-30% weed coverage by area or 10 broadleaf weeds per m ²	Pesticide application allowed
Class B:	Moderate to High Value/Moderate Contact	From 40-100% weed coverage by area or 30 broadleaf weeds per m ²	Pesticide application allowed
Class C:	Low Value/High Contact and/or Environmental Risk	100% weed coverage by area or 40 broadleaf weeds per m ²	Pesticide may be used as a spot spray on infested area only and only in the interest of public safety

7. This by-law shall come into effect upon being passed.

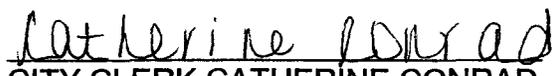
READ A FIRST TIME IN OPEN COUNCIL THE 13TH DAY OF MARCH, 2006.

READ A SECOND TIME IN OPEN COUNCIL THE 13TH DAY OF MARCH, 2006.

READ A THIRD TIME IN OPEN COUNCIL AND ENACTED AND PASSED THIS 13TH DAY OF MARCH, 2006.



DEPUTY MAYOR PETER CHIRICO



CITY CLERK CATHERINE CONRAD