

THE CORPORATION OF THE TOWN OF OAKVILLE

BY-LAW NUMBER 2007-036

A by-law to regulate the use of pesticides within the Town of Oakville

WHEREAS Section 11(2), clause 6 of the *Municipal Act, 2001* authorizes the Town to enact bylaws which provide for the protection of the "health, safety and well-being" of Town residents;

AND WHEREAS the Council of the Town of Oakville desires to respond to the concerns expressed by Town 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 Town residents.

THEREFORE THE COUNCIL ENACTS AS FOLLOWS:

Definitions

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

I.P.M. accredited golf course – means a golf course that:

- i. Obtains and maintains accreditation in a recognized integrated pest management program from the IPM-PHC Council of Ontario, or equivalent, as determined by the Town; and
- ii. Provides proof of I.P.M. accreditation to the Town Clerk on or before January 31st of each year.

Pesticide - means:

- iii. A product, an organism or a substance that is a registered control product under the federal *Pest Control Products Act* which is used as a means for directly or indirectly controlling, destroying, attracting or repelling a pest or for mitigating or preventing its injurious, noxious or troublesome effects.
- iv. Despite Subsection (i), a pesticide does not include the products listed in Schedule "A" to this by-law.

Offence

2. No person shall apply or cause or permit the application of a pesticide within the boundaries of the Town of Oakville.

(continued)

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 control termites;
 - c. As a wood preservative;
 - d. To exterminate or repel rodents;
 - e. For injection into trees, stumps or wooden poles;
 - f. To purify water for human or animal use;
 - g. Inside of a building;
 - h. On land used for the commercial production of food;
 - i. To control, destroy, reduce or repel, directly or indirectly, an animal, plant or other organism which is harmful to human health; or
 - j. On an I.P.M. accredited golf course, provided that any such use or application is in keeping with the integrated pest management program in place.

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.

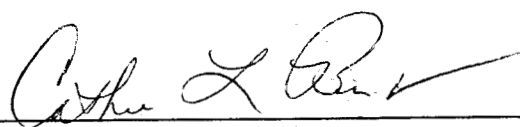
Effective Date

5. This By-law comes into force and effect on January 1, 2008.

PASSED by Council this 12th day of February, 2007



MAYOR
ROB BURTON



CLERK
CATHIE L. BEST

Schedule "A"

- (1) A product that uses pheromones to lure pests, sticky media to trap pests or "quick-kill" traps for vertebrate species considered pests, such as mice and rats.

- (2) A product that is or contains only the following active ingredients:
 - a) A soap;
 - b) A mineral oil, also called "dormant or horticultural oil";
 - c) Silicon dioxide, also called "diatomaceous earth";
 - d) Biological pesticides, including Bt (*Bacillus thuringiensis*) and nematodes;
 - e) Borax, also called "boric acid" or "boracic acid";
 - f) Ferric phosphate;
 - g) Acetic acid;
 - h) Pyrethrum or pyrethrins;
 - i) Fatty acids;
 - j) Sulphur; or
 - k) Corn gluten meal.