

## RESORT MUNICIPALITY OF WHISTLER

### PESTICIDE USE REGULATION AMENDMENT BYLAW NO. 2001 , 2012

#### A BYLAW TO AMEND PESTICIDE USE REGULATION BYLAW NO. 1822, 2007

---

**WHEREAS** the Council of the Resort Municipality of Whistler has adopted Pesticide Use Regulation Bylaw No. 1822, 2007; and

**WHEREAS** the Council of the Resort Municipality of Whistler deems it necessary and expedient to amend Pesticide Use Regulation Bylaw No. 1822, 2007;

**NOW THEREFORE**, the Council of the Resort Municipality of Whistler, in open meeting assembled, enacts as follows:

#### TITLE

1. This Bylaw may be cited as “Pesticide Use Regulation Amendment Bylaw, No. 2001, 2012”.

#### DEFINITIONS

2. Section 2.1 of Pesticide Use Regulation Bylaw No. 1822, 2007 is amended as follows:

- (a) The following defined term is inserted before “biological control”:

“alien invasive species” means a species not indigenous to the area whose introduction or spread does or is likely to cause economic or environmental harm or harm to human health.

- (b) The following defined term is inserted after “alien invasive species”

"Approved Applicator" means a Person who has been exempted pursuant to Section 3.1 of Pesticide Use Regulation Bylaw No. 1822, 2007.

#### EXCEPTIONS

3. Section 4, bullet point 4.1.5 is amended as follows: “To control, destroy, reduce or repel, directly or indirectly, an animal, plant, alien invasive species, or other organism which is harmful to human health or the environment.”

#### AMENDMENTS

4. Pesticide Use Regulation Bylaw No. 1822, 2007 is amended by adding the following as Sub-section 4.2 APPLICATION FOR EXEMPTION and by adding the form “PESTICIDE EXEMPTION APPLICATION ” attached to this bylaw as Appendix 1

- 4.2 A person may apply to the Resort Municipality of Whistler General Manager of Resort Experience or a designate for an exemption from Section 3.1. of Pesticide Use Regulation Bylaw No. 1822, 2007, in the form prescribed for that purpose

by the General Manager of Resort Experience or a designate. The General Manager of Resort Experience or a designate shall grant such an exemption and designate the applicant as an Approved Applicator, so long as the applicant provides all of the information required in the Pesticide Exemption Application form and satisfies the General Manager of Resort Experience or a designate that the applicant, and all individuals employed by the applicant and designated to apply pesticides, maintain a valid Pesticide Applicator Certificate issued pursuant to the Integrated Pest Management Act (British Columbia) and the Integrated Pest Management Regulation, BC Regulation No. 604/2004, as amended from time to time.

- 4.2.1. An application for exemption may be made by an applicant using the form attached to this bylaw as Appendix 1. An application may be issued or refused.
- 4.2.2. An application may impose one or more conditions relating to:
  - (a) the species of plant or pest to which the pesticide may be applied;
  - (b) the area of land on which the pesticide may be applied; and
  - (c) the period of time in which the pesticide may be applied.
- 4.2.3. A person who has obtained approval of an application to use a pesticide pursuant to section 4.2.1 must provide written notice of the use of the pesticide in accordance with sections 4.2.4 and 4.2.5.
- 4.2.4. Written notice must be posted on public or private land where the pesticide will be used and must comply with the following requirements:
  - (a) The notice must be posted on the public or private land at least 48 hours before the pesticide will be used;
  - (b) The notice must remain on the public or private land until the later of 72 hours after the application of the pesticide or the time, if any, indicated on the product label specifying when the area can safely be re-entered after application;
  - (c) Notices must be posted in locations that are clearly visible from each highway or public pathway adjoining the public or private land, and
    - (i) within three metres of each of the property lines intersecting each highway or public pathway; and
    - (ii) at driveways, walkways, and other usual entrances to the public or private land;
  - (d) The notice must be made of material that is weather resistant;
  - (e) The notice must measure at least 12 centimetres by 17 centimetres;
  - (f) The notice must include the following information:
    - (i) the location, date and approximate time of the pesticide use;
    - (ii) in the event of inclement weather, an alternate date or dates on which the pesticide use may occur;
    - (iii) the brand name and registration number of the pesticide that will be used;
    - (iv) the pest for which the pesticide is being used;
    - (v) the time, if any, indicated on the product label specifying when the area can safely be re-entered after application; and
    - (vi) the following phrase: "Permission to undertake this activity was obtained from the Resort Municipality of Whistler. Further

details may be viewed at the Municipal Hall, Resort Experience Department, 4325 Blackcomb Way”.

- 4.2.5. Written notice must be delivered to residents of lots that are adjacent to the public or private land where the pesticide will be used and must contain the information set out in section 4.2.4 (f).
  - 4.2.6. In section 4.2.5, “lots that are adjacent” include lands separated by a highway or public pathway.
5. Appendix 1 is listed below and attached hereto form part “PESTICIDE USE REGULATION BYLAW AMENDMENT NO. 2001, 2012”.  
  
Appendix 1 PESTICIDE EXEMPTION APPLICATION
  6. Pesticide Use Regulation Bylaw No. 1822, 2007 is amended by:
    - a) Adding Appendix 1 attached to this bylaw.

GIVEN FIRST READING this 16<sup>th</sup> day of October, 2012.

GIVEN SECOND READING this 16<sup>th</sup> day of October, 2012.

GIVEN THIRD READING this 16<sup>th</sup> day of October, 2012.

SUPPORTED by the Medical Health Officer this 24<sup>th</sup> day of January, 2013.

ADOPTED this 5<sup>th</sup> day of February, 2013.

---

Nancy Wilhelm-Morden, Mayor

---

Shannon Story, Corporate Officer

I HEREBY CERTIFY that this is a true copy of “Pesticide Use Regulation Bylaw Amendment, No. 2001, 2012”

---

Shannon Story, Corporate Officer

**APPENDIX 1 – PESTICIDE EXEMPTION APPLICATION**

Name and address of applicant:
Phone number:
Email address:
Address where pesticide will be applied:
Area (m2) of proposed application:
Name(s) and consenting signature of landowner(s):
Name of pesticide to be used:
Name of pest or plant targeted:
Name of certified pesticide applicator:
Reason for Application for Permit based on the principles of integrated pest management as defined in this bylaw:
DATE:
For Staff Use:
Comments:
Conditions:
Species of plant or pest to which the pesticide may be applied:
Area of land on which the pesticide may be applied:
Period of time in which the pesticide may be applied