

**CONSOLIDATED FOR CONVENIENCE**

CITY OF PORT MOODY

BYLAW NO. 2575

PESTICIDE USE CONTROL BYLAW

---

**A Bylaw to regulate the use of pesticides on City Lands and on Private Lands, pursuant to sections 8(3)(j) and 9 of the *Community Charter* and *B.C. Reg. 144/2004 (Spheres of Concurrent Jurisdiction – Environment and Wildlife Regulation)*.**

---

The Council of the City of Port Moody in open meeting assembled, enacts as follows:

**1. Title**

This Bylaw may be cited for all purposes as “Pesticide Use Control Bylaw, No. 2575.

**2. Definitions**

Amended by  
BL3086

“Biological Control” means the use of natural agents such as insects, nematodes, fungi, bacteria, viruses, fish, or animals to control a pest.

Amended by  
BL3086

“City Land” means lands vested in the City of Port Moody.

Amended by  
BL3086

“Noxious Weed” means a weed designated as a noxious weed under the *Weed Control Regulation*, B.C. Reg. 66/85, as amended, and includes the seeds of the noxious weed.

“Permitted Pesticide” means a pesticide listed in Schedule “A.”

“Pest” means an injurious, noxious or troublesome living organism, but does not include a virus, bacteria, fungus or internal parasite that exists on or in humans or animals.

“Pesticide” means a micro-organism or material that is represented, sold, used or intended to be used to prevent, destroy, repel or mitigate a pest, and includes but is not limited to:

(a) a plant growth regulator, plant defoliator or plant desiccant,

(b) a control product as defined in the *Pest Control Products Act* (Canada), and

(c) a substance that is classified as a pesticide by the *Integrated Pest Management Act* (British Columbia).

Amended by  
BL3086

“Private Land” means a parcel or part of a parcel that is used for residential purposes.

### 3. Regulation

Amended by  
BL3086

A person must not, in the maintenance of outdoor trees, shrubs, flowers, or ornamental plants or turf on Private Land or City Land, use, or permit, suffer or cause to be used, a Pesticide, other than a Permitted Pesticide.

### 4. Exceptions

Amended by  
BL3086

- (1) The following uses are exempt from the restriction of section 3:
- (a) the application of Pesticides to manage Pests that are harmful to human or animal health, or that impact agriculture or forestry;
  - (b) the destruction of any plant that presents a danger to persons who are allergic to it;
  - (c) on the residential areas of farms;
  - (d) to buildings or inside buildings;
  - (e) the use of a Biological Control to deter or destroy insects, mice, rats, and other animal Pests; and
  - (f) the control or eradication of a Noxious Weed listed in Schedule B.

### 5. Implementation

Deleted by BL3086

### 6. Severability

If any section of this Bylaw is held to be invalid by a Court of competent jurisdiction, then such invalid portion shall be severed and such decision shall not affect the validity of the remainder of the Bylaw.

Amended by BL2685

**7. Penalty**

Amended by  
BL3086

- a) Any person who contravenes or violates any provision of this Bylaw or who suffers or allows any act or thing to be done in contravention or violation of this Bylaw, or who fails or neglects to do anything required to be done under this Bylaw, commits an offence and, upon conviction, may be liable to a fine of not more than \$10,000.00 and where the offence is a continuing one, each day that the offence is continued shall constitute a separate offence.

**8. Attachments**

Amended by  
BL3086

The following schedules are attached to and form part of Bylaw No. 2575:

Schedule A – Permitted Pesticides

Schedule B – Noxious Weeds

**BYLAW 2575 ADOPTED**  
**AMENDMENT No. 1, 2006, No. 2685**  
**AMENDMENT No. 2, 2017, No. 3086**

December 2, 2003  
February 28, 2006  
May 23, 2017

## Schedule A

### Permitted Pesticides

The following are Permitted Pesticides for the purposes of Section 3 and this Schedule:

Active Ingredient or Product Grouping	Class
acetic acid	Domestic
animal repellents except thiram	Domestic & Commercial
anti-fouling paints	Domestic & Commercial
antisapstain wood preservatives used on private, industrial land owned by the company or person responsible for applying the preservatives	Commercial
asphalt solids used as pruning paints	Domestic & Commercial
<i>Bacillus sphaericus</i> (Bs)	Domestic
<i>Bacillus subtilis</i>	Domestic
<i>Bacillus thuringiensis</i> var. <i>israelensis</i> (Bti)	Domestic
<i>Bacillus thuringiensis</i> var. <i>kurstaki</i> (Btk)	Domestic
bactericides used in petroleum products	Domestic & Commercial
boron compounds	Domestic
boron compounds with up to 5% copper for insect control and wood preservation	Domestic & Commercial
capsaicin	Domestic, Commercial & Restricted
cleansers	Domestic & Commercial
corn cellulose	Domestic & Commercial
corn gluten	Domestic & Commercial
deodorizers	Domestic & Commercial
d-phenothrin	Domestic
d-trans-allethrin, also referred to as d-cis, trans allethrin	Domestic
fatty acids	Domestic & Commercial
ferric phosphate	Domestic & Commercial
ferrous sulphate	Domestic & Commercial
formic acid	Domestic & Commercial
hard surface disinfectants	Domestic & Commercial
insect repellents	Domestic
insect semiochemicals, including pheromones, kairomones, attractants and repellents	Domestic & Commercial
insecticides sold and used in tamper-resistant bait stations	Domestic
kaolin	Domestic & Commercial
laundry additives	Domestic & Commercial
material preservatives	Domestic & Commercial
methoprene	Domestic
mineral oils for insect and mite control	Domestic
naphthalene for fabric protection	Domestic
n-octyl bicycloheptene dicarboximide	Domestic
octenol	Domestic & Commercial
oxalic acid	Domestic & Commercial
paradichlorobenzene for fabric protection	Domestic
pesticides in aerosol containers	Domestic
pesticides registered under the federal Act for application to pets	Domestic & Commercial

piperonyl butoxide	Domestic
plant growth regulators	Domestic
polybutene bird repellents	Domestic & Commercial
pyrethrins	Domestic
resmethrin	Domestic
silica aerogel, also referred to as silica gel, amorphous silica and amorphous silica gel	Domestic & Commercial
silicon dioxide, also referred to as diatomaceous earth	Domestic & Commercial
slimicides	Commercial
soaps	Domestic & Commercial
sulphur, including lime sulphur, sulphide sulphur and calcium polysulphide	Domestic
surfactants	Domestic & Commercial
swimming pool algicides and bactericides	Domestic & Commercial
tetramethrin	Domestic
thymol	Domestic & Commercial
wood preservatives	Domestic
zinc strips	Domestic

## **Schedule B**

### **Noxious Weeds**

The following are Noxious Weeds for the purposes of section 4(1)(f) and this Schedule:

- Knotweed – bohemiam (*Fallopia x bohemica*)
- Knotweed – giant (*Fallopia sachalinensis*)
- Knotweed – Japanese (*Fallopia japonica*)
- Knotweed – Himalayan (*Polygonum polystachyum*)