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Item No. 5

Halifax Regional Council
February 19, 2008

TO: Mayor Kelly and Members of Halifax Regional Council

SUBMITTED BY:

A handwritten signature in cursive script that reads "Cathie O'Toole".

Cathie O'Toole, Director, Infrastructure and Asset Management

DATE: January 22, 2008

SUBJECT: 2007 Program Overview Report - HRM Pesticide By-Law

INFORMATION REPORT

ORIGIN

Staff is providing Regional Council with a copy of the 2007 Pesticide By-Law Program Overview Report.

BACKGROUND

The Pesticide By-Law (P-800) was approved by Regional Council in August 2000. Its fundamental intent is to protect human health and the environment.

The focus of the attached document (2007 Program Overview) is to provide the reader with a general overview of the 2007 Pesticide By-Law related activities and opportunities for continued improvement.

DISCUSSION

Overall, the Pesticide By-Law and related education and awareness programs appear to be going well and meeting the fundamental intent of human health and environment protection.

The attached report summarizes the 2007 programs and services as well as opportunities for continual improvement.

Key Focus Areas for 2008 will Include:

(A) Provincial and Federal Lobby

Efforts continue to urge these levels of government, with more power to effect broad change to enhance human health and environmental protection, to take action on availability of cosmetic pesticides. The PMRA is in the process of consultations around a proposed harmonization of the domestic pesticide product classification system. The Nova Scotia Department of Environment and Labour unveiled a 21-pronged plan to make Nova Scotia environmental sustainability leaders for 2020; notably, the Environmental Goals and Sustainable Prosperity Act did not mention pesticides.

A response to the PMRA has been sent by Clean Nova Scotia on behalf of HRM. Opportunities to reassert the value of human health and environmental protection of a province-wide restriction on cosmetic pesticide sales will continue to be sought.

(B) At Source - Instore Focus

Great strides have been made this year, in continuing to enhance relationships with retailers, through speaking with managers and staff to determine their needs. Display and promotional products created this year show promise of an extended life for public awareness in stores across HRM.

Staff will continue to invite an expanding circle of retail partners to take advantage of education opportunities for both their customers and their seasonal staff. It has been recognized that when in doubt, customers will ask a salesclerk for help, sometimes even without reading offered guidance materials. Therefore, there is a real opportunity to work with retailers to offer their staff enhanced training opportunities around the importance of sustainable landscaping products to human health and the environment, and the key points of the Pesticide By-Law, and the risks to the customer of noncompliance. The benefit to the retailer is a knowledgeable, empowered, and more helpful sales force with increased loyalty to the employer.

(C) Enhanced Community-Wide Awareness

Our community is in constant flux; HRM has a relatively large percentage of transitional and transient population with the student body and military taken into account. Add to this immigrants from other areas of Nova Scotia, Canada and the world, and there is a large number of households to whom HRM's by-laws are all new.

Maintaining awareness among the static population while creating awareness in new residents means that education is an ongoing task, and there will be certain key promotional and educational tools that will need to be carried forward year to year. HRM's pesticide reduction television commercials

play a key role in that awareness. In addition, materials distributed through HRM's Customer Service Centres is essential. Finally, increasingly there is additional importance to maintaining a fresh, current web presence with all essential information at a fingertip's distance away.

To work in tandem with the HRM Pesticide website, Clean Nova Scotia, the 2007 partner education provider, developed a content-rich website devoted to sustainable landscaping that reinforces the expected cultural norms we strive to attain. By reiterating HRM's pesticide information, this site provides a "second voice" with the same message: sustainable landscaping is better for human health and environmental protection. In 2008, further promotion of both this site and HRM's, along with regular updates will allow these webpages to play a pivotal role for personally-sought education, which will underline more formal education efforts.

(D) Continue to Mainstream the By-Law

HRM will continue to mainstream the By-Law and related programs and services. Over the next few years, it will be essential to monitor education efforts to determine where the best results lie, and stay tuned to the influence of external factors such as weather or particular cycles of pest infestation that may affect by-law compliance.

(E) Earlier Start

In 2007, the education program began in May. In order to carry out activities identified to be beneficial to program goals such as the retailer conference and education for retail seasonal staff, a program start in March or earlier (on a part-time basis) is desirable.

BUDGET IMPLICATIONS

The Pesticide Program is a regular operating expense of the Infrastructure and Asset Management Department and is funded from Program Operating Account # D940 and as outlined in the Budget Section of the attached report. This is year two of a three year contract which was publically tendered in accordance with HRM's Procurement Policy.

FINANCIAL MANAGEMENT POLICIES / BUSINESS PLAN

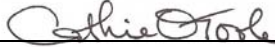
This report complies with the Municipality's Multi-Year Financial Strategy, the approved Operating, Capital and Reserve budgets, policies and procedures regarding withdrawals from the utilization of Capital and Operating reserves, as well as any relevant legislation.

ATTACHMENTS

- 2007 Program Overview Report - HRM Pesticide By-Law P-800

A copy of this report can be obtained online at <http://www.halifax.ca/council/agendasc/cagenda.html> then choose the appropriate meeting date, or by contacting the Office of the Municipal Clerk at 490-4210, or Fax 490-4208.

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Report Approved by: 
Cathie O'Toole, Director, Infrastructure and Asset Management, 490-4825



2007 PROGRAM OVERVIEW Halifax Regional Municipality

Pesticide By-Law P-800 Respecting the Regulation of Pesticides, Herbicides and Insecticides

Section 1 - Introduction

Section 2 - Background

Section 3 - Program Components

Section 4 - Cost, Administration

Section 5 - Summary

DECEMBER 2007

STEPHEN KING, MANAGER

*Sustainable Environment Management Office
Infrastructure and Asset Management*



Executive Summary

By-Law P-800, Respecting the Regulation of Pesticides, Herbicides, and Insecticides (commonly known as the Pesticide By-Law) was approved by Halifax Regional Council in August 2000. The fundamental intent of the Pesticide By-Law (P-800) is to protect human health and the environment.

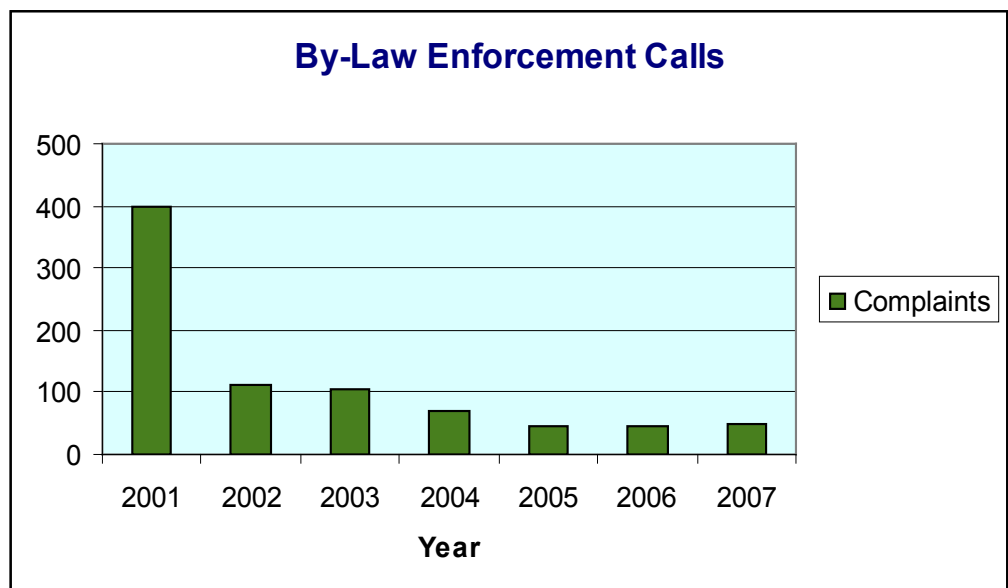
2007 Program Overview: The Numbers

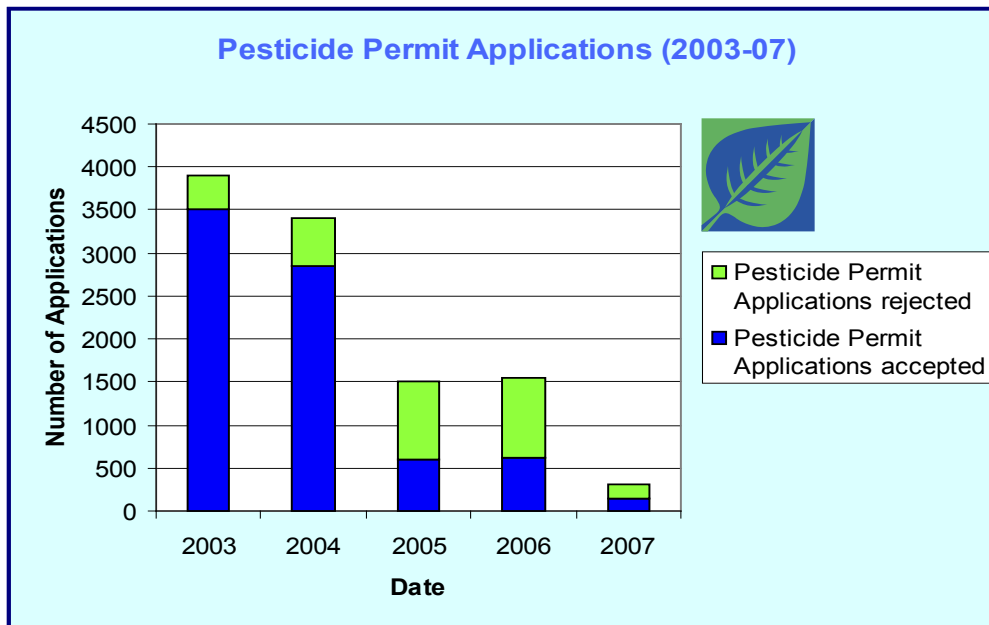
The overall trend of permit application numbers dropping has continued this year. The number of permit applications, in fact, experienced a sharp drop in 2007. In keeping with past years, this demonstrates that education and awareness efforts are having the desired impact. However, this year's numbers may also be attributable to other factors: namely, wet weather that was not conducive to chinch bug growth, and alternative products being utilized by some landscaping companies to control chinch.

As retail outlets were identified last year as a key focus area, these were central to much of the education and awareness activity, and in fact, program resources that had been planned to respond to applications were re-assigned to retail engagement, which in turn, may have helped lower the numbers even further. Finally, Clean Nova Scotia engaged homeowners with a successful home visit-based sustainable landscaping education program called GreenYards.

ENFORCEMENT

There has been a distinct levelling-off of call numbers in recent years. The number of By-Law Enforcement complaints received between April 1, 2007 and October 1, 2007 was 48. In comparison, 47 complaints were received in 2006, 47 in 2005, 71 in 2004, 106 complaints were received in 2003, 111 in 2002 and approximately 400 in 2001.





APPLICATION PROCESSING

307 pesticide permit applications were received from July 3 to October 17, 2007. Most (93%) applications were for the control of chinch bug. Of the 307 applications, 138 (45%) were approved, and 169 (55%) were rejected. 96% of all inspections were carried out within 1 business day of receiving the permit request. 95% of all applications were submitted by lawn care companies.

PUBLIC EDUCATION AND AWARENESS

Since its inception in 2000, a companion comprehensive public education and awareness program to the Pesticide By-Law has been in place. This includes a series of Sustainable Landscape Maintenance Fact Sheets, brochures, TV advertisements, web site, *Naturally Green* newsletter, etc.

2007 featured the following highlights:

GreenLine

The GreenLine telephone response system was put in place in April 2007 to field inquiries on the Pesticide By-Law and sustainable landscaping. Most of the 433 calls from April 25 to October 9, 2007 related to chinch bug and weed control.

Website

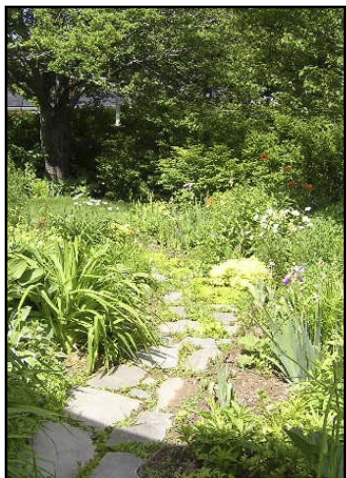
In support of HRM's Pesticides website, a set of web pages outlining the Pesticide By-Law Program, including procedures and conditions for applying for a pesticide permit, were posted on the Clean Nova Scotia website in late May 2007. A more comprehensive website, developed based on public questions received through the GreenLine, was posted in October 2007.

Seminars/Events

Four seminars were held throughout HRM from late May to mid-June to educate homeowners on the Pesticide By-Law and sustainable landscaping. Program staff also provided information on the By-Law at World Oceans Day, Clean Air Day, and the 2007 Ideal Home Show reaching in total, approximately 420 people.

Media Appearances

Articles appeared in the Chronicle Herald, the Homes Etc. supplement, two issues of Naturally Green, Green Communities News, and Clean Nova Scotia's Clean and Green. HRM's pesticide reduction television commercials ran throughout the season. As well, CBC's Marketplace profiled HRM's Pesticide By-Law in one of its fall 2007 episodes.



RETAILER/CONSUMER EDUCATION

In 2007 there was a determined effort to engage retail outlets and educate consumers in-store on the Pesticide By-Law and the use of alternative, eco-friendly pesticide products. From mid-May to late August 2007, 13 retailers throughout HRM agreed to post signage designed to explain the Pesticide By-Law and highlight actual products permissible under the regulations. Twelve information sessions were also held in-store throughout the summer to field inquiries from both consumers and retail staff.

GREENYARDS EDUCATION PROGRAM

Beginning in June 2007, prior to the anticipated increase in pesticide permit applications, Clean Nova Scotia carried out 114 GreenYards education assessments. This program was offered at no cost to homeowners wishing to learn more about sustainable landscaping. Homeowners were offered a site visit to assess the property and demonstrate sound management practices, and then forwarded a detailed report showing where and how to improve their lawns naturally, including areas where a landscaping contractor might be beneficial. Responses were almost unanimously positive.

SUMMARY /EFFECTIVENESS

Independent surveys, consistently dropping permit application numbers, public feedback and anecdotal information indicate that the By-Law is meeting its fundamental intent.

A remaining challenge is addressing the public's continued concerns with the sale of restricted domestic use pesticides. Efforts at the federal and provincial levels as referenced in Section 5 would be an effective response and would greatly enhance the overall effectiveness of human health and environmental protection.

Full Report on By-Law P-800, 2007

Section 1 – Introduction

This report, intended to provide a detailed overview of the 2007 Pesticide By-Law Program, is divided into five sections as follows:

Section 1 - Introduction

Section 2 - Background (History)

Section 3 - Program Components

3.1 - By-law Enforcement

3.2 - Communication, Education & Awareness

3.3 - Pesticide Permits & Data

3.4 - Research, Partnerships

3.5 - Notable External Events

3.6 - Data Management

Section 4 - Costs, Administration

4.1 - Operating Budget & Costs

4.2 - Administration

Section 5 - Summary

5.1 - Key Focus Areas & Opportunities for 2008 and Beyond

5.2 - Provincial, Federal Levels

5.3 - Administrative Order #23

5.4 - General Summary

Appendix A - HALIFAX REGIONAL MUNICIPALITY BY-LAW P-800
RESPECTING THE REGULATION OF PESTICIDES,
HERBICIDES AND INSECTICIDES

Appendix B - Administrative Order #23

Opportunities and recommendations to continue to enhance programs and services are highlighted in Section 5, under Key Focus Areas: Recommendations. Halifax Regional Municipality is committed to a “Healthy, Sustainable Vibrant Community” and continuous performance review and enhancement.



Section 2 – Background (History)

The fundamental principles behind By-law P-800 include human health and environmental protection. Discussions towards a municipal pesticide by-law began in earnest in 1997 when a Regional Councillor raised a question at Council on behalf of his constituents regarding regulating “toxic” products. In 1998 a second Regional Councillor lobbied to make the regulation of pesticide-type products a municipal responsibility through the Municipal Government Act (MGA) and Halifax Regional Council forwarded the request to the Province of Nova Scotia.



In the spring of 1999 the Province granted authority to Halifax Regional Municipality (HRM) to regulate pesticide use within the municipality, with the enabling legislation specific to residential property and property owned by the Municipality. HRM Council in the summer of 1999 requested that an Advisory Committee be set up to provide advice to them on a pesticide related by-law. Subsequently an ad hoc Pesticide Advisory Committee, made up of industry, community, appropriate regulatory and environmental stakeholders, was established later that same year. The Committee met on numerous occasions, with two distinct positions being established. One position sought a restriction on all pesticide use, while the other argued against the need for a bylaw or restrictions.

Therefore, in December of 1999, reports were forwarded to Regional Council on consensus and non-consensus items. During the spring and summer of 2000, five supplementary reports were forwarded to Regional Council from staff, and three public hearing sessions were held during the formal reading process. After this somewhat lengthy but very open public process, *By-Law P-800, Respecting the Regulation of Pesticides, Herbicides and Insecticides*, became effective August 19, 2000. This by-law balanced the restriction of pesticide products with a notwithstanding clause that enabled pesticide use under very specific conditions and incorporated a process to notify neighbouring properties.

The By-Law implementation stages were as follows:

Year 1 (2000/01): Ban on cosmetic use of pesticides on municipal property and commencement of public awareness programs.

Years 2 & 3 (2001/ 02): Commencing April 1, 2001, a ban on cosmetic use of pesticides on residential properties located within a 50 metre radius of:

- a property registered as being occupied by persons at risk who provide medical documentation;
- the boundary of any property containing any schools, licensed day care, playground, park, church, licensed seniors’ residence, university or hospital.

Year 4 (2003): Commencing April 1, 2003, a general ban on the cosmetic use of pesticides would apply to all properties in HRM affected by the By-Law.

The overview reports from 2001 to the present are available on-line at www.halifax.ca (follow the Pesticide By-Law or Naturally Green links to the Pesticide By-Law web site).

THE PRESENT – OVERVIEW

It is now Year 4 of the full implementation of the By-Law. Across the country, nearly 140 municipalities now have in place pesticide ordinances designed to enhance the protection of public health and the environment, with another 10

or more pending. HRM was one of, if not the, first municipality to take action on pesticides. In this, as with other Environmental Management practices, Halifax Regional Municipality has been an acknowledged leader, and in many instances, our by-law has provided a template for other areas to take action.

Since the inception of the permit program, HRM has engaged a qualified independent third party to administer the pesticide permit program. It also includes a parallel public education program on sustainable alternatives to pesticides.

Section 3 – Program Components

3.1 By-Law Enforcement

BY-LAW ENFORCEMENT OFFICERS

There is a team of By-Law Enforcement Officers who conduct the pesticide investigations to determine if a violation exists. The Officers are sworn special constables under the Police Act and work within the Community Projects division of Halifax Regional Police. In addition to conducting pesticide investigations, the By-Law Enforcement Officers also enforce the Municipal Government Act, Part XV Respecting Dangerous or Unsightly Premises and a number of other HRM By-Laws.

ENFORCEMENT STRATEGY

The enforcement strategy for the pesticide by-law has been in accordance with the Regional Council approved Pesticide By-Law Enforcement Policy. This policy provided the strategic direction that:

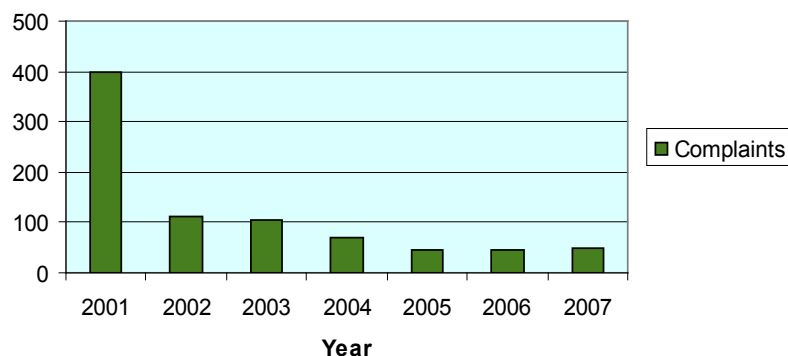
- Enforcement of the by-law will be reactive to complaints received and preventative enforcement patrols seeking violations will not be undertaken;
- Response times to complaints will depend upon location of the alleged violation and resources available. It is anticipated that given the staffing levels and the size of the municipality, staff will typically arrive after the alleged application has been applied;
- Investigation into alleged violations will rely primarily upon eyewitness testimony and physical evidence such as product containers;
- General Environment Canada weather reports will be utilized to determine alleged violations of the by-law's weather restriction. As a result micro-climate information will only be available through eye witness testimony.

For alleged violations, Council direction provided that:

- The first approach to achieving compliance with the by-law will be through attempted education, mediation and persuasion of alleged violators;
- Repeat violations will be ticketed and/or prosecuted where sufficient evidence is available to support such action.



By-Law Enforcement Calls



BY-LAW ENFORCEMENT OPERATIONAL ACTIVITY

There has been a distinct levelling-off of call numbers in recent years. The number of By-Law Enforcement complaints received between April 1, 2007 and October 1, 2007 was 48. In comparison, 47 complaints were received in 2006, 47 in 2005, 71 in 2004, 106 complaints were received in 2003, 111 in 2002 and approximately 400 in 2001.

40 complaints were for homeowner application and 8 complaints were for commercial application.

The majority(46) of the complaints concerned a neighbouring property.

1 complaint concerned a neighbour spraying on the complainant's property.

1 complaint concerned a large application on a woodlot.

All complaints were investigated within 48 hours (not counting non-business days).

There was one SOT issued. Arraignment date was in November, 2007.

All other cases resulted in education only, except the woodlot application which was not in our jurisdiction.



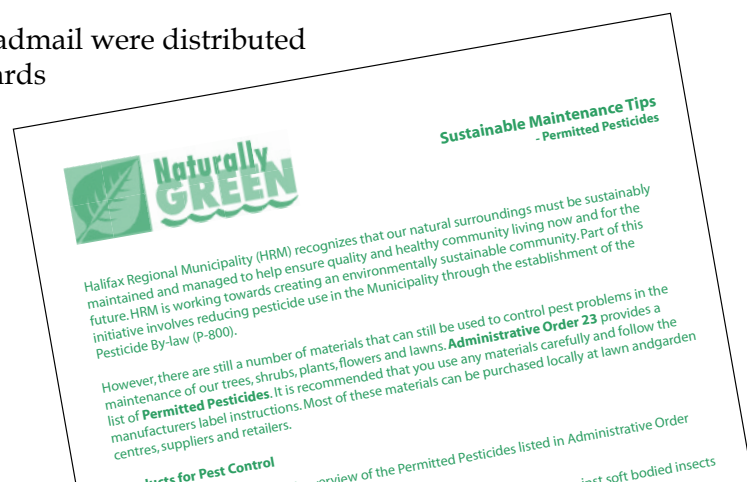
GreenYards Lawn Signs and HRM Fact Sheets were among the tools used in the education and awareness campaign.

3.2 Communication, Education and Awareness

PRINT MATERIALS AND SIGNAGE

Where possible, materials were printed on recycled or FSC-certified paper to support HRM's broader environmental commitments.

- An updated brochure, *Your Naturally Green Lawn*, was prepared and 5000 copies were printed. The brochure was distributed throughout the summer by Pesticide program staff at events listed below, and by Clean Nova Scotia staff at other events as well. Brochures were provided to participants in the GreenYards education program and left at displays in retail outlets where residents purchase lawn treatment products.
- 3600 pieces of targeted admail were distributed to promote the GreenYards service and public seminars. The admail also served as a prompt to remind residents about the Pesticide By-Law.



- 10 large attractive posters (38" x 30") mounted on foamcore were prepared as retail point-of-purchase information pieces. Additional tabloid sized posters were prepared for retailers unable to accommodate the large size.
- Retailers requested a common method to highlight products that contain permitted substances. A shelf-edge card ("shelf-talker") was chosen to meet retailers' needs. Customers are already cued to check this type of display mechanism, which usually denotes a sale or special item; and, there is little extra effort required by the retailer to maintain these. Also, only a few sizes are required and they work with a variety of shelf sizes and product display layouts. The shelf-talker was coordinated with the large display posters to provide comprehensive information to consumers.
- 50 colourful lawn signs mounted on metal stakes were prepared to acknowledge and celebrate participants in the GreenYards program. They also served to promote the success of sustainable landscaping in the neighborhoods in which they were displayed.



RETAILER AND INSTORE EDUCATION EFFORTS

- During instore education display appearances in May, June and July, staff spoke to approximately 230 consumers on the By-Law and sustainable lawn care. Distributed brochures and factsheets.
- Displays (posters and shelf-talkers) were mounted in prominent locations throughout 13 participating stores and were accompanied where possible by CNS pesticide brochures and HRM factsheets. These displays were monitored regularly for worn signage and necessary information replenishment.
Note: Other large retailers were contacted, but chose not to respond to the invitation to participate at this time.
- A successful and well-attended retailer workshop was held in late fall 2006. A second retailer conference was planned for fall 2007, but retailer feedback was taken into account, and the conference is now planned for March, to coincide with an early start to offering retail staff education and cultivation.



Above, large posters, and left, shelf-edge labels helped consumers identify permitted and sustainable products.



Responses to GreenYards Public Education Service post-survey:

Helpful having an awareness of lawncare. Different practices to try for healthy lawn.

Entire thing saved hours of research.

Extremely helpful. Cannot believe a service that was free was so helpful.

On site (visit) was great, very professional, as well as the report – much better than was expected.

Appreciated the comments. Lawn did very well this summer.

Learned a lot. Did not know the best time to lime and dethatch and what chinch bugs look like!

Very wonderful job, very appreciative to individuals Mike and Lisa.

Impressed at how much time was spent here. Not enough soil in subdivision development!

Figure 1 – Voluntary Participating Retailers—Display Details

<i>Retailer</i>	<i>Materials</i>
Canadian Tire (Tacoma Drive)	2 (11"x17") posters, 2 CNS Naturally Green Lawn brochure racks, shelf talkers
Canadian Tire (Clayton Park)	2 (11"x17") posters, 2 brochure racks, shelf talkers; 1 large (30"x38") display/brochure rack
Halifax Seed (Kane Street)	4 (11"x17") posters, shelf talkers; 2 brochure racks at checkouts
Home Hardware Sackville	1 large (30"x38") poster, shelf talkers, 2 brochure racks
Home Hardware Porters Lake	2 (11"x17") posters, shelf talkers, 1 brochure rack and 1 HRM Naturally Green Permitted Substances 8.5"x11" rack
Kent Halifax	1 large (30"x38") poster, shelf talkers, 2 brochure racks in pesticide aisle; 1 large poster near garden center checkout
Kent Dartmouth	1 large (30"x38") poster, shelf talkers, 2 brochure racks; 1 large poster near garden center checkout
<i>The following retailers posted display materials starting in August:</i>	
Home Depot Halifax	2 (11"x17") posters, shelf talkers, 1 brochure rack; 1 large poster near garden center checkout
Home Hardware Enfield	2 (11"x17") posters, shelf talkers, 1 brochure rack
Kent Sackville	1 large (30"x38") poster; shelf talkers; 1 brochure rack; 1 small poster in store window
Home Depot Dartmouth	3 (11"x17") posters; shelf talkers; 1 large poster
Canadian Tire Quinpool	3 (11"x17") posters, shelf talkers, 1 brochure rack, 1 large poster
Lakeland Plantworld	2 (11"x17") posters, shelf talkers, 3 brochure racks

RESPONDING TO CONCERNS

Out of several hundred permit requests, less than 10 interventions were required. Staff offered direct, personal interaction in cases of complaint or concern, sometimes in cases where a perceived pest intrusion fell outside the By-Law. A few examples include offering entomological information and links to other assistance for a serious pavement ant infestation in Sackville; and responding to a fungus concern expressed by the Lawn Bowling Association. The Lawn Bowlers, inhabiting HRM lands, received similar advice as in previous years, namely, that the identified issue does not meet the notwithstanding requirements of the By-Law. Therefore, two courses of action are available: change the by-law, which would necessitate a full public process; or, the suggested alternative, which is that park staff will continue to research and search out products and cultural practices that are sustainable and do not fall under the by-law.

GREENLINE: Sustainable Landscaping and Pesticide information by telephone

- Responded to 430 calls from the public
- Average response time was less than 24 hours.
- Most calls were fielded “live”.
- Most callers sought information about the GreenYards program, permit applications or solutions for controlling chinch bug.

GREENYARDS PUBLIC EDUCATION PROGRAM

- A letter highlighting the GreenYards program was sent to 1542 of last year’s pesticide permit applicants.
- GreenYards program materials developed include a pre-survey to gauge homeowner knowledge and cultural practices, a successful report template and a statement of confidentiality contributed by legal counsel. These materials are available to form the basis of future education efforts.
- 114 visits in total were performed.
- A waiting list exists for next year if the education program is continued.
- The program was very successful, with 5 homeowners calling the GreenLine and the CNS main office line to commend both the assessors and the program.
- 59 of 114 homeowners (52% of project participants) responded to our post-survey.
- 35 participants displayed the GreenYards lawn signs promoting the GreenYards program and sustainable landscaping.

A sampling of GreenYards survey results:

Suggestions from the GreenYards post-survey:

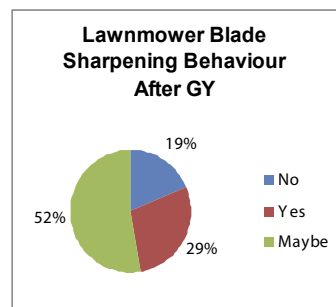
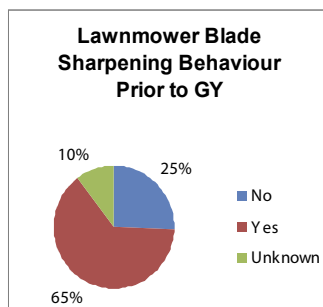
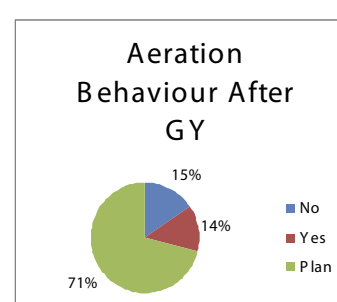
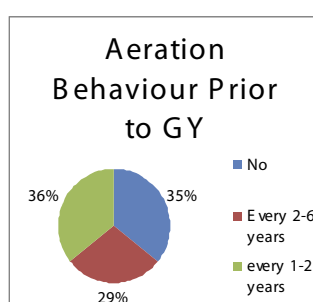
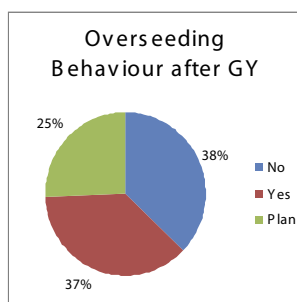
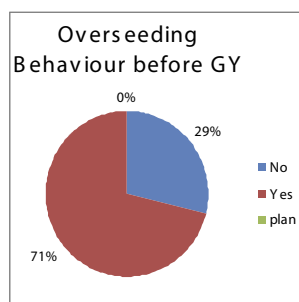
Focused on lawn but more people want to move away from lawn. Add garden component.

More information on what you could add to the ground to soil that is poor.

Purchase a reel mower to show the homeowners.

Get report earlier in season.

Follow up should be in a year. It seems like I haven’t done much but that is only because I haven’t had time since you were here!



PROGRAM
OVERVIEW REPORT
HRM Pesticide By-Law

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DECEMBER 2007

SEMINARS AND PRESENTATIONS

- Four seminars on the By-Law and sustainable landscaping were held across HRM. An example was a staff event at a Nova Scotia Power office, with 30 attendees. However, overall seminar attendance was lower than desired. Recognizing this, research was undertaken to determine how people would prefer to access educational information. Results suggested an online resource might be more effective. Accordingly, in the interest of providing value for money spent, some resources were reassigned to develop a more in-depth, Nova Scotia-specific, rich online resource.
- Staff attended display booths at three additional events in June; spoke to over 170 people on sustainable lawn care and distributed nearly 140 brochures and factsheets.
- At the Ideal Home Show, staff hosted a booth featuring sustainable landscaping themes on behalf of HRM. Staff spoke to 300-400 people over the entire weekend, and distributed 115 pieces of literature.
- The simple addition of trays of growing grass provided the best conversation starter. Both young and old stopped to simply touch the grass and ask questions. A clear glass terrarium filled with soil from an organic community garden and topped with turfgrass was also found interesting, and children and adults were able with magnifying glasses to view the grass blades, the soil horizons, and the soil organisms in more detail. Magnifying glasses were found to be a much more realistic alternative to the use of microscopes, due to the complexity of soil sample preparation.



Two common pests, the cutworm or army worm and the soil webworm.

WEBSITE

- In support of and in addition to HRM's pesticide site, at the outset of the summer, information was posted on the Clean Nova Scotia site. This included a description of the By-Law, a list of permitted substances, a registration form for the GreenYards program, and some basic sustainable landscaping information.
- As it became evident that the planned seminars were not fulfilling their desired function, some investigation revealed that a more comprehensive website would be effective. The site was developed and given a unique identity, while remaining under the Clean Nova Scotia domain to limit updating costs.
- For the period September 24 to November 26 (less than 2 months), this site had over 3,700 visitors. About 30% of these were referred from the Clean Nova Scotia main page, with the rest either directly entering the site name or being referred by a search engine.
- The top 6 most-searched-for terms that resulted in hits to the site from Google were:

store displays	7	
finding sustainable landscapes	6	
sustainable landscaping practices	5	
fertilizer for lawn before winter	3	
fall maintenance tips	3	
sustainable landscaping	3	

OTHER PUBLICITY

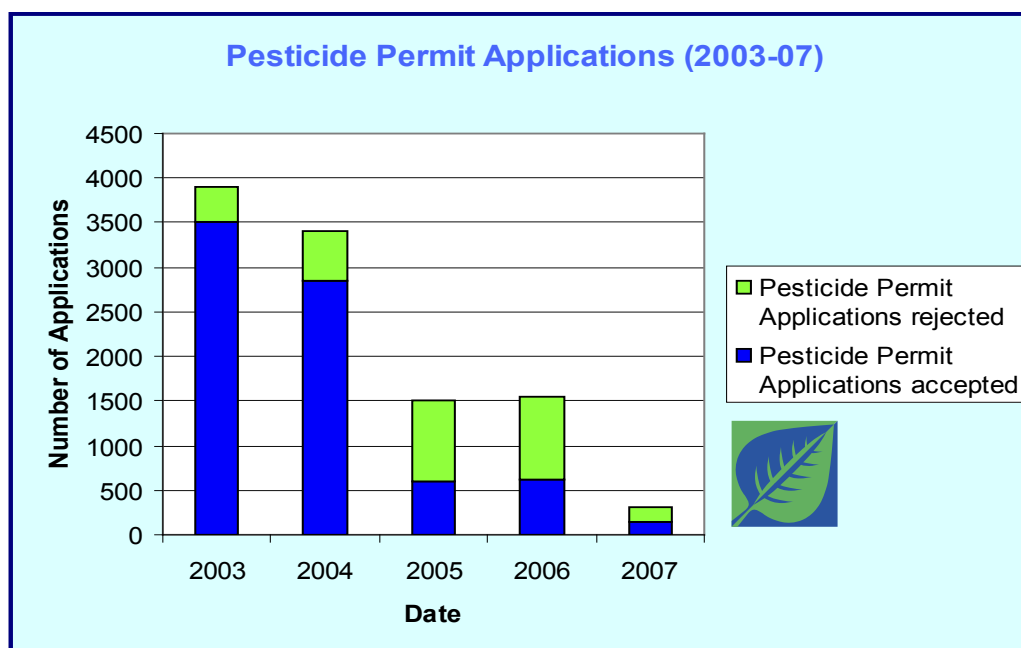
- Published an op-ed article in the Chronicle-Herald on August 16 regarding the efforts made to educate consumers in-store on the By-Law and alternative products. The article also described the PMRA's proposed domestic class pesticide harmonization.
- The Pesticide By-Law and sustainable landscaping were featured in the spring and fall *Naturally Green* issues.
- CBC Vancouver interviewed program staff about the Pesticide By-Law.
- Clean Nova Scotia's *Clean and Green* spotlighted the program with a cover story, "Putting the Pinch on the Chinch", Summer 2007.
- Pesticide By-Law and sustainable landscaping information were featured at the Clean Nova Scotia booths at the Eco-Logic home show as well as at the Maritime Fall Fair in October.
- Program profiled on Marketplace on CBC (see details in Section 3.5, Notable External Events)

3.3 Pesticide Permits & Data

PERMIT APPLICATIONS

- Total number of permit applications: 307. Total approved: 138 (45%). The majority of the permit requests arrived in July and August.

Permit decisions from 2003-2006 are as follows:										
Decisions	2007	%	2006	%	2005	%	2004	%	2003	%
<i>Approved</i>	138	45%	628	40.7%	595	40%	2765	82%	3505	91%
<i>Rejected</i>	169	55%	914	59.3%	896	60%	550	16.5%	358	9%
<i>Other</i>	0	0	0	0%	0	0%	50	1.5%	0	0%
<i>Totals</i>	307	100%	1542	100%	1501	100%	3365	100%	3863	100%



Response Time

- Respecting a homeowner's need for action on a perceived problem, it was initially decided that the inspection required for a permit would be carried out within two business days of the request being received.
- 76% of all July inspections were carried out within 24 hours.
- 78% of all August inspections were carried out within 24 hours.
- 98% of all September inspections were carried out within 24 hours.
- All permit inspections were carried out within 2 business days.

Reason for Applying

- Homeowners were overwhelmingly consistent in identifying a chinch bug infestation as the reason they were applying. Three other pests were named in a very few other applications.

Pests cited as justification for pesticide application	
Chinch bug	284
Sod Webworm	12
White Grub	4
Other	7

- Over the last four years, the most commonly cited reason for a pesticide-permit application has been a perceived chinch bug infestation. This year, the summer was very wet, compared to the last six. Chinch bugs thrive in hot, dry conditions.
- During the summer, staff became aware that some lawn care companies may have been using alternative products to control chinch bug which do not require a permit for application. This may also have markedly reduced the number of pesticide permit applications.
- A declining number of permit applications is good, and is no doubt attributable to successful education and awareness efforts over the years. However, to make any extreme adjustments to these efforts on the basis of this year's sharp drop would be precipitous. Until a few more years show similar results, it is not recommended that education and awareness efforts be significantly lessened. A cultural norm is rarely established in so short a time. Our waste reduction education program dates back 10 years, and yet a level of ongoing education efforts remain necessary to prevent backsliding behaviours and a drop in diversion rates.



Above, chinch bugs and white grubs

3.4 - Partnerships

GENERAL

In order to maximize resources and directly reach as many people at the community 'grass roots' as possible, internal/external partnerships within a social marketing approach have been utilized over the past several years

Public awareness and educational efforts have included external partners such as the Canadian Wildlife Federation, Dalhousie University, Nova Scotia Agricultural College, Landscape Nova Scotia, Clean Nova Scotia, Ecology Action Centre, and garden centres and retailers in the region. Internal partners have included the Halifax Regional Library, HRM Environmental Initiatives Committee, various internal HRM units such as: Marketing, Design and Print Services, HRM Customer Service Centres and HRM Corporate Call Centre. There are other external and internal partners as well.

These partnerships have helped leverage other funding, training and communication opportunities providing excellent value for HRM taxpayers.

Since the inception of the permit program, HRM has engaged a qualified independent third party to administer the pesticide permit program. It also includes a parallel public education program on sustainable alternatives to pesticides. HRM has chosen to work with a third party in this way because we've found that doing so ensures a collaborative grassroots approach, while remaining cost and operationally effective.

Clean Nova Scotia

In 2007, Clean Nova Scotia resumed delivering the Pesticide Permit Application program and the accompanying education efforts. This organization had been the first to deliver this program, and had done so from 2001-2004. Through this partnership, the reach of the program has been extended throughout the CNS suite of programs and community network of partners. Relationships with retailers have been developed and strengthened, which will prove key as the efforts to mainstream the By-Law carry forward.

Founded in 1988, Clean Nova Scotia is a not-for-profit organization guided by a Board of Directors with representation from the realms of business, academics, government, and the community at large. Over the last 20 years, the organization has evolved into an effective, high profile institution with a broad mandate to work with individuals, government, business, and communities to improve the environment. Its mission statement reads, "Clean Nova Scotia seeks to create a cleaner, healthier environment by informing, enabling, and inspiring Nova Scotians to respect and consider the environment in all their choices."

Clean Nova Scotia is effective in part because they are independent, yet able to work with business, governments and communities, collaboratively and in a non-adversarial way.

2007 Networking and Partnerships

In the course of administering the program, Clean Nova Scotia met and conferred with representatives from a number of organizations.



3.5 - Notable External Event

MARKETPLACE EPISODE

CBC's *Marketplace* television series did an investigation examining the state of the pesticide by-law, focused primarily in Halifax, but also in Toronto. The show's host, Wendy Mesley, spoke with both Stephen King, Environmental Management Services Manager for HRM and with Nova Scotia's Minister of Environment and Labour Mark Parent about the state of by-law compliance and the findings of the investigation. The show's conclusion's pointed to the need for action at both the federal and provincial levels. The provincial level is called up to provide province-wide consistency by following the example of Quebec, restricting cosmetic pesticide use and sales across the province. At the national level, in 2002 Parliament approved changes to the Pest Control Act (PCA) reclassifying domestic use pesticides, although these changes were only implemented in 2006. The Pest Management Regulatory Agency (PMRA) is now engaged in a process of assembling input gathered over the last few years: the upshot is that some of these cosmetic use pesticides could be removed from the shelves with only restricted sales allowed.

3.6 - Data Management

PERMIT APPLICATION DATABASE

Currently an electronic database is maintained and administered by HRM Customer Service Centres. Once entered into the database, the application is assigned an identification number and forwarded to Clean Nova Scotia for the on-site assessment. During inspection the application is either approved or rejected. Once the inspection is complete, Clean Nova Scotia provides a paper copy back to the Customer Service Centres for data input.

Data management and transfer proved seamless, as each day's batch of permit requests could be imported directly into Clean Nova Scotia's complementary pesticide database. During this process, Clean Nova Scotia has complied with all confidentiality and privacy expectations.

Section 4 - Costs, Administration

4.1 Operating Budget and Costs

MAXIMIZING RESOURCES

Since the inception of By-Law P-800 in 2000, several internal and external partnerships have been developed that not only help keep costs down, but also help provide for an enhanced pesticide use reduction program and related public education and awareness campaign on sustainable landscape maintenance.

Internally, we have utilized centralized corporate resources such as the Call Centre, HRM Customer Service Centres, By-Law Enforcement, in-house marketing and communication staff and positioned the pesticide use reduction initiatives under the "Naturally Green" corporate umbrella. This has allowed further partnering and cost sharing through joint newsletters, promotion and advertising.



Externally, HRM has partnered with Clean Nova Scotia, the Ecology Action Centre, Landscape Nova Scotia, various community groups, the Nova Scotia Agricultural College, Halifax Regional Libraries and others, in delivering a comprehensive public education and awareness program on sustainable gardening and landscape maintenance. Original estimate (2000) to annually administer the Pesticide By-Law was \$308,000.

Effective internal and external partnerships has allowed staff to keep the annual operating costs substantially below the original estimate yet still deliver responsive programs and services. The budget has remained relatively consistent since the inception of the Pesticide By-Law, including the 2007 budget. To date, since the By-Law's inception in 2000, savings of over \$600,000 have been realized from the original estimates. Effective community and industry partnerships and stewardship have been key to this success.

2007 APPROXIMATE COSTS

Contracted Permit Process and Companion Public Education Program	\$ 99,000
By-Law Enforcement, Administration, etc. * (carried out by centralized HRM Services)	\$ 75,000
Workshops, Reprinting Brochures, etc.	\$ 5,000
Total	\$ 179,000

** The Full Time Equivalents (FTE's) were transferred several years ago to the Centralized Services Group.*

As HRM continues to mainstream the By-Law and its related services and programs, we have chosen to extend the term of the current third party contract (three years with a yearly renewal) in order to be more cost and operationally effective.

4.2 Administration / Policy Direction

The Sustainable Environment Management Office of the Infrastructure and Asset Management Department is responsible overall for the strategies management and policy direction of the Pesticide By-Law and related public education and awareness programs on sustainable practices.



Section 5 – Summary

5.1 - Key Focus Areas & Opportunities for 2008 and Beyond

Four *Key Focus Areas* were identified for the 2007 operating season of the HRM pesticide education program. To those, one has been added in retrospect as a suggestion for 2008:



PROVINCIAL AND FEDERAL LOBBY

Efforts continue to urge these levels of government, with more power to effect broad change to enhance human health and environmental protection, to take action on availability of cosmetic pesticides. The PMRA is in the process of consultations around a proposed harmonization of the domestic pesticide product classification system. The Nova Scotia Department of Environment and Labour unveiled a 21-pronged plan to make Nova Scotia environmental sustainability leaders for 2020; notably, the Environmental Goals and Sustainable Prosperity Act did not mention pesticides.

A response to the PMRA has been sent by Clean Nova Scotia on behalf of HRM. Opportunities to reassert the value to human health and environmental protection of a province-wide restriction on cosmetic pesticide sales will continue to be sought.

AT SOURCE – INSTORE FOCUS

Great strides have been made this year in continuing to enhance relationships with retailers, through speaking with managers and staff to determine their needs. Display and promotional products created this year show promise of an extended life for public awareness in stores across HRM.

Staff will continue to invite an expanding circle of retail partners to take advantage of education opportunities for both their customers and their seasonal staff. It has been recognized that when in doubt, customers will ask a salesclerk for help, sometimes even without reading offered guidance materials. Therefore, there is a real opportunity to work with retailers to offer their staff enhanced training opportunities around the importance of sustainable landscaping products to human health and the environment, and the key points of the Pesticide By-Law, and the risks to the customer of non-compliance. The benefit to the retailer is a knowledgeable, empowered, and more helpful sales force with increased loyalty to the employer.

ENHANCED COMMUNITY-WIDE AWARENESS

Our community is in constant flux; HRM has a relatively large percentage of transitional and transient population with the student body and military taken into account. Add to this immigrants from other areas of Nova Scotia, Canada and the world, and there is a large number of households to whom HRM's by-laws are all new.

Maintaining awareness among the static population while creating awareness in new residents means that education is an ongoing task, and there will be certain key promotional and educational tools that will need to be carried forward year to year. HRM's pesticide reduction television commercials play a key role in that awareness. In addition, materials distributed through HRM's Customer Service Centres is essential. Finally, increasingly there is additional importance to maintaining a fresh, current web presence with all essential information at a fingertip's distance away.

To work in tandem with the HRM Pesticide website, Clean Nova Scotia, the 2007 partner education provider, developed a content-rich website devoted to sustainable landscaping that reinforces the expected cultural norms we strive to attain. By reiterating HRM's pesticide information, this site provides a 'second voice' with the same message: sustainable landscaping is better for human health and environmental protection. In 2008, further promotion of both this site and HRM's, along with regular updates will allow these webpages to play a pivotal role for personally-sought education, which will underline more formal education efforts.

CONTINUE TO MAINSTREAM THE BY-LAW

HRM will continue to mainstream the By-Law and related programs and services. Over the next few years, it will be essential to monitor education efforts to determine where the best results lie, and stay tuned to the influence of external factors such as weather or particular cycles of pest infestation that may affect bylaw compliance.

EARLIER START

In 2007, the education program began in May. In order to carry out activities identified to be beneficial to program goals such as the retailer conference and education for retail seasonal staff, a program start in March or earlier (on a part-time basis) is desirable.



5.2 Provincial & Federal Levels

AREAS OF RESPONSIBILITY

The registration, classification, and sales of pesticide products are federal responsibilities, with the Province of Nova Scotia responsible for vendor and applicator licenses, monitoring and data collection.

The federal Pest Control Products Act was approved by Parliament in December 2002; however, the implementation and administrative policies only came into effect in June 2006. The federal agency responsible for the pesticide re-evaluations, reviews, reclassifications, public education and awareness is the Pest Management Regulatory Agency (PMRA), a division of Health Canada. In 2007, the PMRA sent out a request for comments on and reactions to a proposed domestic class pesticide harmonization.

At the provincial level, the Nova Scotia Department of the Environment and Labour administers the provincial pesticide applicators and vendors certification program. Business operators (vendors) are required to certify annually and report year-end sales records by pest. Pesticide applicators are required to renew their pesticide application certificates every five years. There are approximately 150 registered vendors province-wide and about 2,000 certified applicators province-wide, according to Nova Scotia Environment and Labour.

PROVINCIAL AND FEDERAL LEGISLATIVE OPPORTUNITIES

Last year, an excellent opportunity for the federal government and its provincial partners to work on harmonizing the domestic pesticide product classification system was identified. It was recognized that this harmonization might remedy issues at point of sale, particularly with regard to the sale of cosmetic pesticides in regions where cosmetic pesticide are restricted from use. For example, restricted pesticides could be put behind the counter, could require a special license for their use, or could be removed from shelves completely. The PMRA is finalizing input gathered over the last few years, and are expected to announce the results by summer 2008.

At the provincial level, there is a potential opportunity for the provincial department of Environment and Labour to enact legislation, similar to the Pesticide Code enacted in Quebec, which provides province-wide consistency and enhanced human health and environmental protection by restricting cosmetic pesticide use and sales across the province.

Last year, HRM received a response to a letter from the Mayor's Office, from the Honourable Mark Parent, Minister of the Environment and Labour. In brief the letter advised that changes would only need to be made to the Regulations, not the Environment Act, however, the Nova Scotia Department of Environment and Labour advised that they do not have the staff and resources to carry this out. This is unfortunate as these activities could greatly enhance human health and environmental protection.

In 2007, the Nova Scotia Department of Environment and Labour released its *Environmental Goals and Sustainable Prosperity Act*, setting out 21 far-reaching goals in areas including Ecosystem Protection, Air Emissions and Water Quality. The overall goal of the act is, "Nova Scotia aims to have one of the cleanest and most sustainable environments in the world by 2020."

It is notable that pesticides are not mentioned in this list of commitments.



5.3 Administrative Order #23

ADMINISTRATIVE ORDER NUMBER 23, RESPECTING PESTICIDES, HERBICIDES, AND INSECTICIDES

Excluded from the Pesticide By-Law is a companion document to the Pesticide By-Law P-800 that provides a list of permitted pesticides, products which are excluded from the provisions of the Pesticide By-Law. It was approved by Regional Council on August 22, 2000.

The list includes such products as insecticidal soaps, BT (*Bacillus Thuringiensis*), dormant oils, lime sulphur, etc. Staff use a science-based protocol (established in 2001) to amend the permitted products list.

A challenge with Administrative Order #23 is that it requires the homeowner to read the ingredients list on products, although ways to more clearly identify products containing the permitted substances are being explored. To be more explicit, the challenge lies in small print, long, unfamiliar chemical and substance names and possibly literacy issues. This challenge could potentially be eliminated by action at the federal or provincial levels to reclassify domestic class pesticides.

OPPORTUNITIES REGARDING ADMINISTRATIVE ORDER #23

Depending upon what continues to happen at the federal level regarding pesticide reviews and reclassifications, Administrative Order #23 may not be required in the future. In the interim it provides local remedies until desired federal policies and programs are in place. It will continue to be incorporated into retailer and instore education materials.





5.4 General Summary

Overall, the implementation of By-Law P-800, Respecting the Regulation of Pesticides, Herbicides and Insecticides and related education and awareness programs appear to be effective. Permit application numbers continue to drop to reflect the actual situation of serious infestations. This allows efforts and resources to be turned to creating better education and decision-making supports at key nexus points for consumers: ie, when they are in the store preparing to purchase a product, and when they are setting out to work in their yards.

In working effectively with community groups and retailers while continuing to lobby for the provincial and federal governments to take action, HRM continues to achieve its goals of protecting human health and a sustainable environment. Meanwhile, we monitor issues that arise affecting by-law compliance, such as the introduction of new alternative products and weather patterns, and make allowances to deal with these on an as-needed basis.

The intent of the By-Law, to protect those medically affected by pesticides and also to protect the environment, appears to be effective. The By-Law is meeting its fundamental intent.

In the bigger picture of a sustainable, healthy community, the general public, as witnessed in opinion polls, surveys and public feedback over the past 4-5 years, is embracing Regional Council's leadership and direction in pesticide reduction by practicing sustainable alternatives to pesticides in the maintenance of their own properties. Home visit opportunities to demonstrate hands-on best sustainable practices are popular and sought-after by those who seek a do-it-yourself solution. Consumer demand is also creating a shift in the landscaping industry to more sustainable products and solutions. It is expected that at a certain point, a critical mass of the population will be educated in these cultural practices and a sustainable approach will become a cultural norm. Therefore, over time, the enforcement of the By-Law will be assisted by a growth in knowledge and expectation of the public.

As HRM continues to mainstream the By-Law and related activities, consideration has been given to longer-term third party partnerships/ contracts for the permitting process and related public education and awareness and applied science research where funding is available. For example, in 2007, HRM signed a three year contract, renewable at the end of each year, with an independent third party for this program.

Communication, public awareness and education and feedback have been key factors in all Pesticide By-Law-related activities, and will continue to be.

APPENDIX A
HALIFAX REGIONAL MUNICIPALITY
BY-LAW P-800
RESPECTING THE REGULATION OF PESTICIDES,
HERBICIDES AND INSECTICIDES

BE IT ENACTED by the Council of the Halifax Regional Municipality pursuant to Sections 533 and 171(1) (c) of the Municipal Government Act as follows:

Short Title

1. This By-law shall be known as By-law No. P-800 and may be cited as the “Pesticide By-law.”

Definitions

2. In this By-law,

- (a) “affected property” means a property all or part of which lies within the spraying prohibition radius of a property registered in the Halifax Regional Municipality Pesticide Notification Registry;
- (b) “commercial applicator” means any person, firm or corporation any part of whose business involves the application and use of pesticides;
- (c) “Inspector” means any person designated for such purpose by the Regional Council;
- (d) “Municipality” means Halifax Regional Municipality;
- (e) “owner” means a person who is assessed as the owner of a property on the Assessment Roll of the Municipality;
- (f) “pesticide, herbicide or insecticide” means any pesticide as defined under the Environment Act, Stats, N. S. 1994-95, C. 1, as amended and means
 - i. any substance that is intended, sold or represented for use in preventing, destroying, repelling or mitigating, directly or indirectly, any pest,
 - ii. any substance that is a pest control product within the meaning of the Pest Control Products Act (Canada) or is intended for use as a pest control product,
 - iii. any substance that is a plant growth regulator, a defoliant or a plant desiccant,
 - iv. a fertilizer within the meaning of the Fertilizers Act (Canada) that contains a substance referred to in subclause I, ii or iii,
 - v. or any other substance designated as a pesticide in the regulations to the Environment Act, but does not include a substance that is intended, sold or represented for use in potable water to prevent or destroy bacteria, parasites or viruses if the substance is not a pest control product within the meaning of the Pest Control Products Act (Canada);
- (g) “pesticide application” means the application and use of pesticides for the maintenance of outdoor trees, shrubs, flowers, other ornamental plants and turf on the part of a property used for residential purposes or on property of the municipality;
- (h) “treated property” a property upon which a pesticide application has taken place.

Prohibition on Municipal Property

3. No person shall carry out or permit or suffer to be carried out any pesticide application on property owned by the Municipality.

Prohibition Around Public Areas

4. Commencing April 1, 2001, no person shall carry out or permit or suffer to be carried out any pesticide application on property all or part of which lies within a 50 metre radius measured from the boundary of a property containing any school, licensed day care centre, park, playground, licensed senior citizens’ residence, university, church or hospital.

Prohibition Within Halifax Regional Municipality

5. (1) Commencing April 1, 2003, no person shall carry out or permit or suffer to be carried out a pesticide application within the Halifax Regional Municipality.
(2) After April 1, 2003, the Municipality shall cease to maintain the Pesticide Registry pursuant to Section 7 of this Bylaw and the provisions of Sections 7 to 10 inclusive shall no longer apply.
6. (1) Notwithstanding any provisions of this Bylaw, the pesticide applications of those pesticides which are identified as "Permitted Pesticides" in an Administrative Order enacted by the Halifax Regional Council are permitted and the provisions of the Bylaw do not apply to these exclusions.
(2) Notwithstanding any provisions of this Bylaw, a pesticide application may be carried out to control or destroy plants or insects if such plants or insects constitute a danger for human beings or to control or destroy insects which have infested a property, if such pesticide application is specifically permitted by the Inspector for that purpose and the pesticide application is carried out subject to such terms and conditions as shall be prescribed by the Inspector.
(3) The owner of a property, prior to carrying out a pesticide application on the owner's property pursuant to subsection (2) shall notify the owner of on any property all or a part of which is within a 50 metre radius of the property to which the pesticide application is to be made, received within 5 days of the proposed application, provided however, if a commercial applicator provides notification in respect of the pesticide application, the owner of the property is not required to provide notification in respect of the same pesticide application.
(4) A commercial applicator may give notice of more than one application in the same notice.
(5) Notification shall be in writing and shall contain the following information:
 - (a) the location of the pesticide application;
 - (b) the date and approximate start time of the pesticide application, within a 24 hour period, and, in the event of inclement weather, an alternate date or dates on which the pesticide application may occur;
 - (c) the brand name and registration number of the pesticide product which will be used;
 - (d) the name and telephone number of the person or company making the pesticide application.
(6) If the owner of a registered property and an owner of an affected property or a commercial applicator subject to the notice requirements of this bylaw can reach an agreement on notification provisions acceptable to both parties other than those described herein, then the requirements prescribed by this Section are waived in favour of the agreed to requirements.
(7) The provisions of subsection (6) shall not take effect unless the agreement referred to therein is reduced to writing and signed by both parties.
(8) A notification agreement entered into pursuant to subsection (6) may be terminated by either party by providing 14 days written notice to the other party.

Property Registration

7. (1) There is hereby established a Halifax Regional Municipality Pesticide Registry.
(2) The Registry shall be administered by the Inspector.
(3) An owner of a real property wishing to have that property listed on the Registry shall pay the registration fees prescribed by Administrative Order 15 and provide to the Inspector the following information:
 - (a) name of the owner;
 - (b) mailing address of the owner;
 - (c) civic address of the property to be registered;
 - (d) daytime and evening telephone number(s), one of which is designated as the primary contact number; and

- (e) a letter from two physicians licensed to practice medicine in the Province of Nova Scotia expressing an opinion that a named resident of the property to be registered is hypersensitive to and suffers adverse medical reactions as a result of exposures to pesticides which are potentially life-threatening.
- (4) On receipt of the information prescribed in subsection (3) and the applicable fee, the Inspector shall include the identified property in the Registry.
- (5) The registration period shall be from April 1, 2001 to March 31, 2003.
- (6) A separate registration application shall be made and registration fee paid for each property wished to be registered.
- (7) The registration of a property shall cease when
 - (a) the owner who applied to register the property files with the Inspector a written notice to the effect that the owner no longer wishes the property to be registered;
 - (b) the owner who applied to register the property or a new owner files with the Inspector a written notice that the registered property has changed ownership; or
 - (c) the municipality receives a Deed Transfer Tax Affidavit indicating that the registered property has been sold; or
 - (d) on April 1, 2003.
- (8) The Inspector shall forthwith notify by ordinary mail the owners of all properties previously affected by the registration that their properties are no longer subject to the notification requirements of this Bylaw.

Notice To Owner Of Affected Properties

- 8. (1) Within 10 days of the entry of property in the Registry, the Inspector shall mail to the owner of each affected property a letter, addressed to the mailing address of the owner of the affected property as contained in the Assessment Roll of the Municipality, informing the landowner of
 - (a) the existence of the Registry;
 - (b) the civic address of the registered property;
 - (c) the name, mailing address and the telephone numbers of the owner of the registered property as provided in the application for registration; and
 - (d) the effect of this Bylaw on affected properties.but the letter shall not disclose the identity of any individual who is the subject matter of a medical opinion provided to the Inspector pursuant to Section 7(3)(e) or the nature of the medical condition of that individual, provided that this restriction does not prevent the Inspector from identifying the individual as the owner of the property, if such be the case.
- (2) If the affected property is not occupied by the owner of the property, the owner shall forthwith notify the occupant of the information contained in the letter sent to the owner pursuant to subsection (1).

Notice To Commercial Applicators Of Pesticides

- 9. (1) On or before the end of February in each year, the Inspector shall mail to each commercial applicator of pesticides operating in the municipality and known to the Inspector a printed list of all registered and affected properties and the restrictions that apply to each property.
- (2) At least monthly during the period from March to October in each year, the Inspector shall mail to each commercial applicator of pesticides operating in the municipality and known to the Inspector a printed updated list containing all registered and affected properties added to the Registry within the preceding month and the restrictions that apply to each property.
- (3) The requirements of subsection (1) and (2) do not relieve any commercial applicator of pesticides from the responsibility of determining the restrictions that apply to a pesticide application on any property in the municipality.

Pesticide Applications Prohibited On Certain Affected Properties

10. No person shall carry out or permit or suffer to be carried out any pesticide application on an affected property all or part of which lies within 50 meters of the boundary of a registered property.

Rules Respecting Pesticide Applications

11. (1) When a pesticide application is to take place on a property, the owner of the property or any commercial applicator of pesticides shall post signs in a prominent place on the property not less than 24 hours prior to the pesticide application and keep the signs continuously posted for a period of 4 days after the pesticide application and if such property abuts or is adjacent to a public street or private road shall post signs facing each such street or road, and signs shall be placed one sign within 3 meters of each of the property lines separating the treated property from the adjoining property and thereafter one sign for each 16 meters of frontage abutting or adjacent to such street or road.
- (2) The signs prescribed by subsection (1) shall
- (a) be square or rectangular, measuring not less than 25 centimeters by 25 centimeters;
 - (b) be bright yellow in colour;
 - (c) be made of a material that is weather resistant and shall be placed on a support that is weather resistant;
 - (d) bear the words, in letters, black in colour, of at least 24 point type: "Warning - Pesticides In Use"; and the symbol of a skull and crossbones at least 4.5 inches in diameter and shall indicate the commercial name of the pesticide used or to be used in the pesticide application and shall further indicate that all contact with the portion of the treated property upon which the pesticide application has taken place must be avoided; and
 - (e) shall bear a contact telephone number for the applicator of the pesticide and the date of application. and the signs required pursuant to this By-law, or signs substantially similar to such signs shall not be used for any other purpose.
- (3) There shall be no pesticide application within 2 meters of any property line unless the permission of the adjoining lot owner has been obtained in writing.
- (4) There shall be no pesticide application within 5 meters of a bus stop, mailbox or a facility which contains a post office.
- (5) The pesticide application shall be applied in accordance with the written instructions of the manufacturer and the label on the container.
- (6) There shall be no pesticide application by means of spraying or fogging on trees or shrubs of a height equal to or greater than 2 meters when the wind velocity exceeds 8 km/hr.
- (7) There shall be no pesticide application by means of spraying or fogging on trees or shrubs of a height less than 2 meters when the wind velocity exceeds 18 km/hr.
- (8) There shall be no pesticide application when it is raining.
- (9) There shall be no pesticide application when the temperature exceeds 27 degrees Celsius unless otherwise indicated on the pesticide's label.
- (10) There shall be no pesticide application on trees during their blooming period.

Penalty

12. (1) A person who does anything prohibited by this bylaw is guilty of an offence and is liable on summary conviction to a penalty of not less than \$100 and not more than \$2000.00 and, in default of payment, to imprisonment for a term not exceeding thirty (30) days.
- (2) A person alleged to have violated this bylaw given notice of the alleged violation may pay a penalty in the amount of \$100.00 to the Halifax Regional Municipality; provided that, said payment is made within a period of fourteen (14) days following the day on which the alleged violation was committed, and where the said notice so provides, payment shall be in full satisfaction, releasing and discharging all penalties and imprisonments incurred by the person for said violation.

Done and passed by Council this 15th day of August, 2000.

Mayor

Municipal Clerk

I, Vi Carmichael, Municipal Clerk for the Halifax Regional Municipality hereby certify that the above-noted by-law was passed at a meeting of the Halifax Regional Council held on August 15, 2000.

Vi Carmichael, Municipal Clerk

BY-LAW P-800

Notice of Motion:	April 25, 2000
First Reading:	May 2, 2000
"Notice of Intent" Publication:	May 6, 2000
Second Reading:	August 15, 2000
Approval of Minister of Housing and Municipal Affairs:	N/A
Effective Date:	August 19, 2000

Amendment # 1 (V-101)

Amending Subsection (1) of Section 12

Notice of Motion:	August 19, 2003
First Reading:	August 26, 2003
"Notice of Public Hearing" Publication:	September 6, 2003
Second Reading:	September 23, 2003
Approval of Minister of Housing and Municipal Relations:	N/A
Effective Date:	September 27, 2003

Appendix B - Administrative Order #23

HALIFAX REGIONAL MUNICIPALITY

ADMINISTRATIVE ORDER NUMBER 23

RESPECTING PESTICIDES, HERBICIDES AND INSECTICIDES

EXCLUDED FROM THE PESTICIDE BY-LAW

BE IT RESOLVED as an Administrative Order of the Council of the Halifax Regional Municipality as follows:

Short Title

1. This Administrative Order may be cited as the Pesticide By-law Exclusion List Administrative Order.

Permitted Pesticides

2. The following substances are deemed permitted pesticides and shall be excluded from provisions of the Pesticide By-law:

- | | |
|------------------------------------------|---------------------------------------------------|
| (1) Insecticidal soaps | (12) Horticultural oils |
| (2) Herbicidal soaps | (13) Bordeaux mixture and other sulphur compounds |
| (3) Bt (<i>Bacillus thuringiensis</i>) | (14) Lime sulphur |
| (4) Nematodes | (15) Ferric phosphate |
| (5) Other biological control organisms | (16) Pruning paint |
| (6) Animal repellents | (17) Pheromone traps |
| (7) Rodenticides | (18) Pyrethrum (or pyrethrin) |
| (8) Injected tree treatments | (19) Diatomaceous earth |
| (9) Sticky media | (20) Acetic Acid |
| (10) Borax | (21) Corn Gluten Meal |
| (11) Dormant oils | |

Done and passed in Council this 22nd day of August, 2000.

Walter R. Fitzgerald, Mayor

Vi Carmichael, Municipal Clerk

I, Vi Carmichael, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted Administrative Order was passed at a meeting of the Halifax Regional Council held on August 22, 2000.

Vi Carmichael, Municipal Clerk

Notice of Motion:

August 15, 2000

Approved:

August 22, 2000

Amendment No. 1

Addition to Permitted Pesticides

Notice of Motion:

May 8, 2001

Approved:

June 5, 2001

Amendment No. 2

Addition to Permitted Pesticides

Notice of Motion:

May 27, 2003

Approved:

June 10, 2003

Amendment No. 3

Addition to Permitted Pesticides

Notice of Motion:

June 14, 2005

Approved:

June 21, 2005

