	R.M. OF WALLACE-WOODWORTH	
	TRANSPORTATION POLICY	
	Pest/Weed Management Policy	July 28, 2020 Approved by: Resolution No. 20/286 Revision Date: NA
		No. of Pages: 8

PURPOSE

The Rural Municipality of Wallace-Woodworth recognizes a responsibility to control pests, weeds, and brush on road right-of-ways and on R.M. owned properties. Federal legislation defines pests as being an animal, plant, or other organisms that is injurious, noxious or troublesome.

Responsibility for weed control is legislated under the Manitoba Noxious Weeds Act. The use of pesticides will be in accordance to the Pesticides Regulation 94/88R, made under The Environment Act; and the Pest Control Products Act.

Weed control will be carried out to prevent the establishment of restricted weeds, and to prevent and control the spread of noxious weeds. Nuisance weeds may also be controlled. Brush species will be controlled to enhance public safety on roads and protect the integrity of the road surface. Pesticides referred to in this policy will also include herbicides.


In carrying out control of pests, weeds, and brush, the R.M. of Wallace-Woodworth will implement a comprehensive Pest/Weed Management Policy. A three-year No Spray Program Application (Schedule B) will form part of this Policy.

POLICY

1. Key Regulations from the Noxious Weeds Act

The Provincial mandate to control noxious weeds is provided through the Noxious Weeds Act, but the implementation of the Act is at the Municipal or Weed Control District Level. On an annual basis, each municipality or Weed Control District appoints a Weed Inspector or Supervisor who is tasked with inspecting and enforcing the Noxious Weeds Act.

The Weed Inspector or Supervisor will work with landowners to develop control strategies on private lands for particularly invasive weeds. If necessary, the Weed Inspector or Supervisor is authorized to regulate weed control under the authority of the Noxious Weeds Act.

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Who is responsible?

The control of noxious weeds is the responsibility of all landowners, including:

- a) Farmers: conventional & organic;
- b) Construction;
- c) Industry: Hydro, Oil & Gas, etc.;
- d) Railways; and
- e) Governments: Municipal, Provincial & Federal
 - i. Rights-of-way, crown land, parks, etc.

Sec. 3 of The Noxious Weeds Act states:


Responsibility to destroy or control noxious weeds

3(1) A person must

- a) destroy all tier 1 noxious weeds that are on land that the person owns or occupies;
- b) destroy all tier 2 noxious weeds that are on land that the person owns or occupies if the area colonized by the weeds is less than 20 acres;
- c) control all tier 2 noxious weeds that are on land that the person owns or occupies if the area colonized by the weeds is 20 acres or more; and
- d) control a tier 3 noxious weed that is on land that the person owns or occupies if the weed's uncontrolled growth or spread is likely to negatively affect an aspect of Manitoba's economy or environment in the area of the land or the well-being of residents in proximity to the land.

Responsibility for other roads

3(4) For the purposes of subsection (1), a municipality is deemed to be the occupant of and in control and possession of every highway, road or road allowance within the

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municipality that is not a departmental road or road allowance as defined in The Transportation Infrastructure Act.

2. Strategies for Control

The following strategies may be employed for the control of pests, weeds, and brush:

- a) Application of registered pesticides;
- b) Mowing or hand cutting; and
- c) A combination of mowing and pesticide applications.


3. Scope of Program

This work will be carried out on the following areas as determined by the Weed Supervisor:

- a) All R.M. owned properties;
- b) All R.M. controlled road right-of-ways; and
- c) On provincial road right-of-ways when directed by agreement with the Province of Manitoba.

4. Pesticide Application Operations


- a) All pesticide applications are to be carried out in a safe and responsible manner and only when weather conditions are favorable.
- b) Water used with the pesticides will only be obtained from safe sources such as municipal water systems.
- c) At least one operator per sprayer unit shall be licensed and the operator shall record all the necessary information required by statutes, government agencies, and the R.M.
- d) Personal safety equipment such as respirators, extra cartridges, aprons, potable water, rubber gloves, etc. must be available on each spray unit for the operator's use.

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- e) The following areas are considered as No Spray Buffer Zones (not to be sprayed):
 - i. Alongside greenhouse operations, tree nurseries, organic farms, and commercial gardens.
 - ii. Beyond the property line of the road allowance.
 - iii. Areas that are designated as “No Spray Zones” pursuant to the R.M.’s No Spray Program. The No Spray Buffer Zone will be sixty-one (61) metres or (200 ft.) on either side of a farmstead, lane access, and/or a residence on both sides of the road allowance. Schedule A shows four “No Spray Zone” illustrations on a property.
 - iv. Mowing and hand-cutting will be done by the R.M. to control noxious weeds and brush growth.
- f) All pesticide applications will be carried out in accordance with label recommendations.
- g) In addition to the requirements of this policy all pesticide applications will be conducted in accordance with the guidelines set out by the Manitoba Noxious Weed Act and Pest Control Products Act.

5. Mowing Operations

- a) Mowing operations will be conducted in accordance with legislated guidelines.
- b) Operators shall at all times consider road traffic when conducting mowing operation.
- c) Mowing units will be equipped with beacons and flashing lights and shall be operating at all times when mowers are cutting.

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6. No Spray Program

a) No spraying will be conducted on properties subject to persons entering the No Spray Program. Two ways to become part of the No Spray Program:

i. Contact in writing the Department of Conservation and Climate, Government of Manitoba:

Manitoba Sustainable Development
 Environmental Approvals Branch
 1007 Century Street
 Winnipeg MB R3H 0W4

ii. Contact the R.M. to be part of the No Spray Program and fill-out the No Spray Program Application Form (Schedule B) that forms part of this policy.

b) The No Spray Program Application Form (Schedule B) must be signed by the landowner prior to the commencement of the Pest/Weed Control Program.


c) The application will include a Property Diagram of the registered property with the corresponding No Spray Buffer Zones marked. The owner will have to sign off the No Spray Zone property diagram prior to commencement and inclusion in the No Spray Program.

d) A separate registration application shall be made for each property.

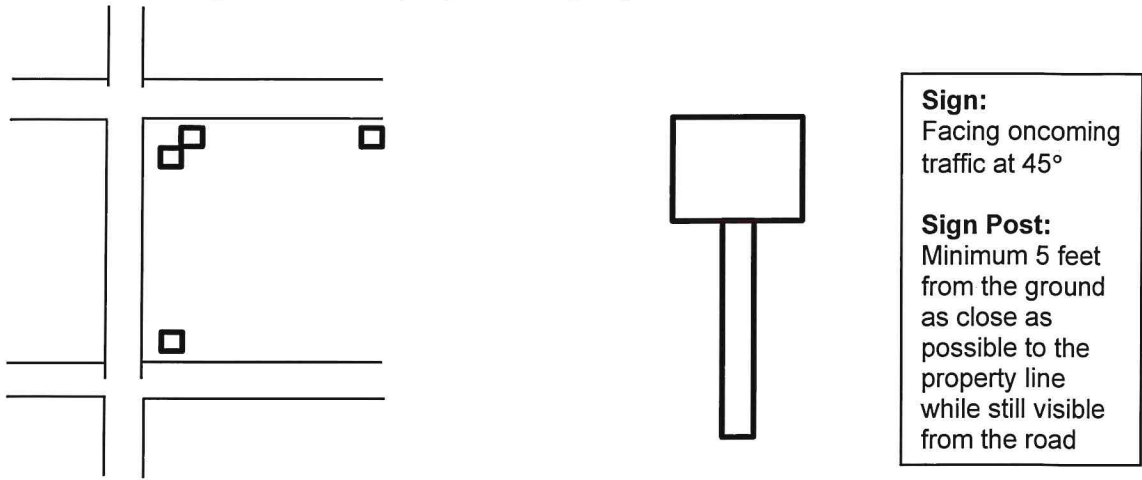
e) The R.M. of Wallace-Woodworth will undertake non-pesticide weed control practices on municipal right-of-ways adjacent to the property entered under the No Spray Program by mowing and/or hand-cutting.

f) The R.M. of Wallace-Woodworth shall provide a signage marked "No Spray Area" for easy identification of the No Spray Area that are part of the No Spray Program.

g) The R.M. of Wallace-Woodworth will be responsible to install the signage in a location prescribed by the R.M. of Wallace-Woodworth as to be readily visible from the traveled portion of the roadway during the months of June, July, August, September, and October.


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Installation diagram of No Spray Area signage below



- h) The registration of a property shall cease:
 - i. When the landowner/occupant who applied to register the property files with the R.M. a written notice to the effect that the landowner/occupant no longer wishes the property to be included in the No Spray Program;
 - ii. When the landowner/occupant who applied to register the property or a new owner files with the R.M. a written notice that the registered property has changed ownership and they no longer live there; and
 - iii. When the No Spray Program's three (3) year term on the property expires.

- i) No Spray Program Renewal:
 - i. Prior to the expiration of the three (3) year term, the landowner/occupant may apply for a renewal by filling out the No Spray Program Application Form. The landowner/occupant will have to choose the renewal option under "type of application."
 - ii. Upon approval, the renewal will be in effect for a three (3) year term.
 - iii. A separate renewal application shall be made for each property.

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7. Inspection of Owned/Occupied Properties

- a) The R.M., within its operational and fiscal capacity, shall conduct inspections of private and public properties as may be necessary to determine the presence of noxious or prohibited noxious weeds.

8. Enforcement

Enforcement shall be at the sole discretion of the Weed Supervisor and in accordance with the Manitoba Noxious Weeds Act, attached as Schedule C.

Sec. 17 of the Manitoba Noxious Weeds Act states:

Notice to comply

17 (2) When an inspector finds noxious weeds on any land, the inspector may give, to any person who is responsible for complying with this Act in respect of the land, a written notice requiring the person, in accordance with subsection 3(1), to destroy or control the noxious weeds within the period stated in the notice, which is not to exceed 15 days.


Sec. 19 of the Manitoba Noxious Weeds Act states:

Neglect or refusal to comply with notice

19(1) A landowner, occupant or agent who has been given a notice under this Act and who

- a) neglects or refuses to destroy or control noxious weeds as required by this Act within the period stated in the notice; or
- b) otherwise neglects or refuses to comply with the requirements of the notice;

is guilty of an offence and is liable, in addition to the penalty provided in subsection 36(1), to a further fine of \$100 for each day that the neglect or refusal continues.

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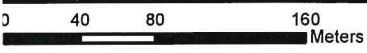
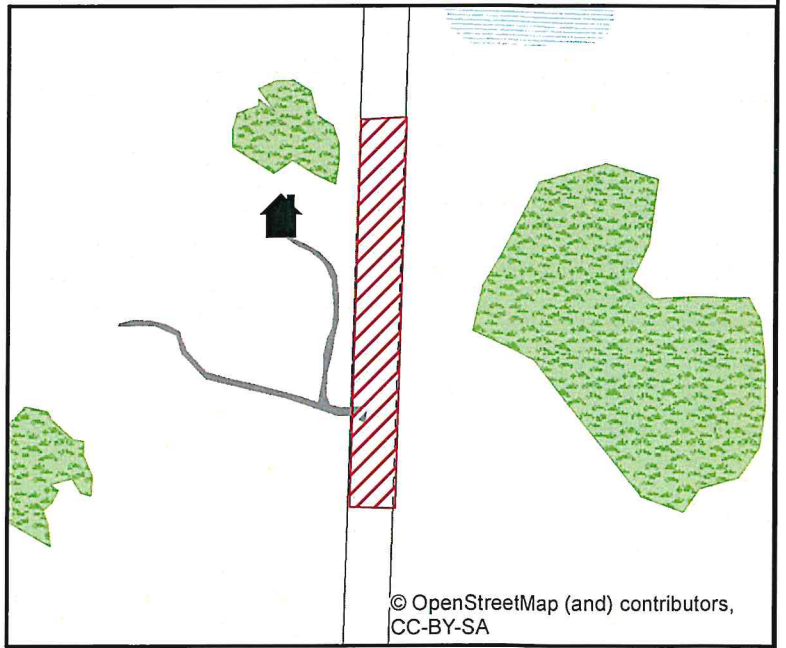
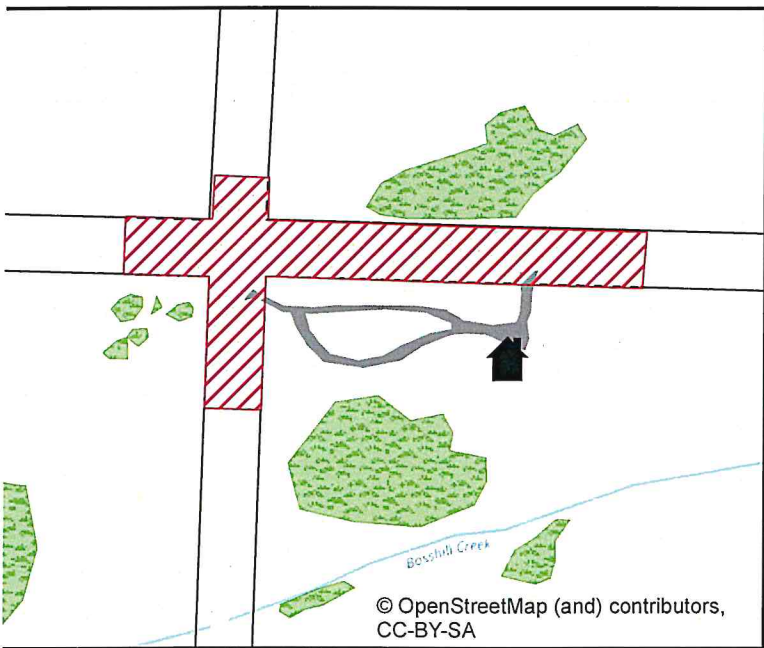
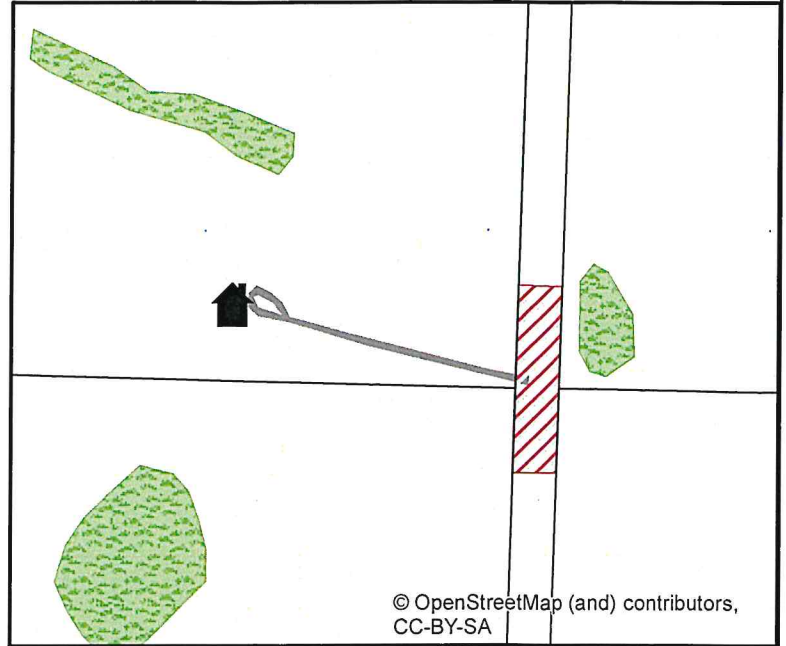
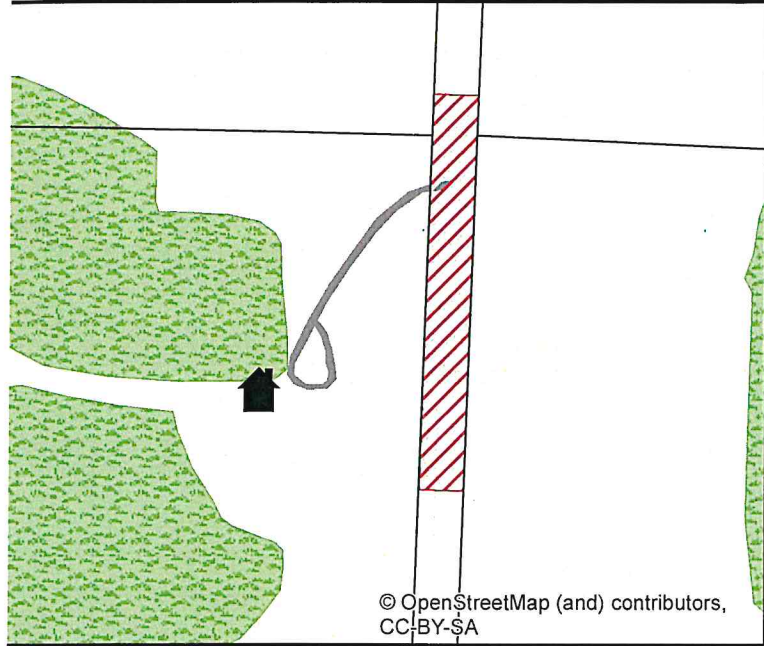
9. Pesticide Emergency Resources

If any members of the public suspect exposure to spray chemicals and is need of medical attention:

- a) **Call 911** for emergencies and physical exposure
- b) **Call 1-855-776-4766 for Manitoba Poison Centre:** Provides 24/7 access to a team of doctors, nurses and other poison experts via a toll-free phone number. Provides specialized information and treatment recommendations related to chemical, biological, pharmaceutical, and environmental poisoning and exposure.
- c) **Call (204) 944-4888 for Manitoba Sustainable Development – Manitoba Conservation:** A 24-hour reporting line for environmental emergencies. The Emergency Team responds to releases or potential releases of contaminants that may have a detrimental effect on the physical environment or public health. The Manitoba Emergency Plan identifies Manitoba Conservation as the lead provincial agency for dangerous goods incidents.



Weed Management Policy- Schedule A No Spray Zone Illustration



 Buffer Zone

Source: R.M. of Wallace-Woodworth
May 13th, 2020



File No: _____

No Spray Program Application Form

1. Please fill out this table:

Date Application was filled out:	Name of Property Owner & Mailing Address:	
Legal Land Description:		
Phone:	E-mail:	Fax:

2. Application Type:

First Time Application <input type="checkbox"/>	For renewal applications:
Renewal <input type="checkbox"/>	File No. of Previous No Spray Application: Term: (start) _____ to (end) _____
<i>*For renewals, you may skip #3 and #4 unless there are changes in the property boundaries that need to be mapped.</i>	

3. Property Type: Residential Agricultural Commercial

Please state why a **No Spray Zone** is being requested (e.g. medical sensitivity, sensitive vegetation, exposed groundwater):

4. Please include a map or sketch of your property on the back of the application, showing all existing approaches and lanes. Include any existing features of the land in the immediate vicinity including buildings, roads, water features such as river, streams, marshes, low areas, etc. Please do not forget your North Arrow.

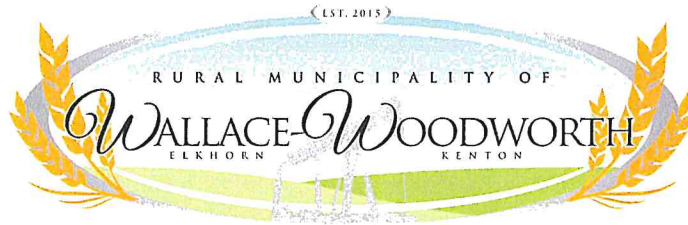
Pest and Weed Management on No Spray Zone Property:

- A. The R.M. of Wallace-Woodworth will undertake non-pesticide pest and weed control practices on municipal right-of-ways adjacent to property in this application by mowing and/or hand-cutting.
- B. The R.M. of Wallace-Woodworth will provide signage marked "No Spray Area" for easy identification of property on No Spray Zone. The R.M. will be responsible to install the signage in a location prescribed by the R.M. as to be readily visible from the traveled portion of the roadway during the months of June, July, August, September, and October.
- C. Upon approval, the property will be under the No Spray Program for three (3) years.
- D. In the event the Landowner changes during the term the property is listed under the No Spray Program, it is the responsibility of the Landowner to notify the Weed Supervisor of the change in ownership. At such time, the new Landowner may sign their own application form or decide to opt out of the No Spray Program.

I have read and understood the Pest/Weed Management Policy that the R.M. of Wallace-Woodworth will undertake on my property once it is listed under the No Spray Program.

Landowner Signature: _____

Date: _____



File No: _____

No Spray Program Application Form (con't)

Sketch Area:

****NOTE: If any information is missing, processing time may be considerably affected. A copy of the Pest/Weed Management Policy will be provided to the Landowner as reference. A property diagram will be created based on the sketch provided. The landowner will have to sign off on the diagram and will form part of this application.***

MUNICIPAL OFFICE USE ONLY

Application Received By: _____ Date Received: _____
Application Reviewed By: _____ Date Reviewed: _____

APPROVALS:

Council: Required ___ Not Required ___ Resolution # _____

The three-year term will be from _____ to _____

"Schedule B" of Pest/Weed Management Policy



'Landowner Name' 'Quarter Section' No Spray Property Diagram



Diagram is an accurate representation of the No Spray Buffer Zones on my property. I have read and understood the Pest/Weed Management Policy that the R.M. of Wallace-Woodworth will undertake on my property once it is listed under the No Spray Program.

Landowner Signature: _____

Date: _____

MUNICIPAL OFFICE USE ONLY

Application Received By: _____ Date Received: _____

Diagram Created By: _____ Date Created: _____

File No: _____