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## CITY OF KELOWNA

### MEMORANDUM

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**Date:** November 16<sup>th</sup>, 2004  
**File No.:** 5280-05  
**To:** City Manager  
**From:** Environment and Solid Waste Manager  
**Subject:** **Commercial Pesticide Notification Registry and Pesticide Bylaw**

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#### **RECOMMENDATION:**

THAT Council endorse the following recommendations:

- That the Commercial Pesticide Notification Registry be continued in 2005 with the following clarifications / changes:
  - ❖ That previous day notification can occur without a medical condition.
  - ❖ That spray application only occurs once personal contact with registrant has been made (this includes leaving a message on an answering machine).
  - ❖ That in order to be on the registry, residents need to sign up by April 1<sup>st</sup> of every year.
- That staff bring forward in the 2005 Provisional Budget for Council to consider funding for an ongoing registry, public education, research alternatives to pesticides, and research Pesticide Bylaws at a cost of \$25,000.

#### **BACKGROUND:**

##### **Commercial Pesticide Notification Registry**

In November 2003, City Council directed City staff to develop a Commercial Pesticide Notification Registry for residents who wish to be notified when commercial spray is occurring on abutting residential properties. This program is not applicable if a resident or neighbouring agricultural property is applying the pesticides. Spraying as required under the Sterile Insect Release Program is allowed to occur without notification, as necessary.

In 2004, 284 households registered for the City's Pesticide Notification Program. This was a dramatic increase from less than ten households that registered in 1991 when the City had previously attempted a pesticide notification program.

The existing Commercial Pesticide Notification Registry was designed to have two types of notification; previous day and same day notification. Previous day notification was given for those people with a medical condition while same day notification was given for those people who wish to be notified for additional reasons such as children or pets that could be outside, windows open, vegetable gardens or those who just wanted to be notified. Initially, a doctor's letter was required for the previous day notification. On March 15<sup>th</sup> 2004, City Council endorsed that the Pesticide Registry program include the opportunity to request a previous day advance notification without requiring a Doctor's letter. At this meeting Council requested a follow-up report by staff in the fall of 2004.

### **Results of Pesticide Applicator Survey**

Twenty three commercial spray companies participated in the registry program in 2004. Of these companies, ten completed the Pesticide Applicators Survey (see attached survey and results).

The most relevant issue that arose from the survey is in regards to the notification categories; previous day and same day. Half of the operators prefer same day notification, while the other half prefer previous day notification. Weather seems to be the highest concern for operators and thus, five of the ten who participated in the survey have requested same day notification to be exclusively implemented for the program.

Additionally, there was some discussion at the Council meeting on March 15<sup>th</sup> regarding the Doctor letter requirement. An industry representative that was present felt that a medical condition is still required for previous day notification. However, without proof from a Doctor there is no way to confirm that a medical condition exists.

### **Results of Pesticide Notification Registrant Survey**

Of the 284 households on the registry in 2004, 222 households requested previous day notification. The two main reasons that most households requested previous day notification were due to medical conditions and the fact that people work during the day and would like to make arrangements prior to spraying of abutting properties (ensure children and pets are inside, cover lawn furniture, etc). Therefore, it is recommended by staff that Council endorse continuous previous day notification options due to strong community interest.

Of the 284 households on the registry, 92 households responded to the pesticide notification registry survey (see attached survey and results).

In the survey, there was a push for banning pesticides in Kelowna. Additionally, in the 2004 Citizen Survey the question, "Should Kelowna have a bylaw that would restrict the use of herbicides and / or pesticides for cosmetic purposes on public and private property?", was posed. The support for a bylaw restricting herbicide and pesticide use has increased from 47% in 2003 to 62% in 2004.

### **Background Regarding Pesticide Bylaws in Canada**

At this time, the number of municipal pesticide bylaws adopted in Canada has increased to a total of sixty-six. When all the current regulations and bylaws come into full effect the total number of Canadians thereby protected from unwanted exposure to synthetic lawn and garden pesticides will grow to close to eleven million or approximately 35% of Canada's population (based on the 2001 Stats Can Census).

### **2005 Budget Item**

For 2005, the Environment & Solid Waste Division has applied for \$25,000 to fund the ongoing Commercial Pesticide Notification Registry, as well as to fund public education, to research alternatives to pesticides, and to research Pesticide Bylaws in Canada.

Staff time is required to maintain and update the registry by April 1<sup>st</sup>, 2005 and research Pesticide Bylaws in Canada. A Pollution Prevention summer student in 2005 would aid in public education initiatives as well as research alternatives to pesticides. Summer student responsibilities would include educating nurseries, home / garden centres, and residents. This could be accomplished through events, such as Fat Cat Festival, Canada Day, Mayor's Environmental Expo, and Family Fun Day, Go Natural backyard parties, and door-to-door distribution of door hangers. There needs to be a focus on lawns, including promoting alternatives to pesticides in weed control, and lawn alternatives, such as eco lawns and xeriscaping. Additionally, the City could have some 'test plots' to investigate some of the natural pest/weed controls prior to promoting them to the public.

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Mark Watt  
Environment and Solid Waste Manager



Approved for inclusion:  
John Vos  
Director of Works & Utilities

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The following is a list of the attachments that are **not** available with the electronic version of this report. The attachments can be viewed in the City Clerk's Department (3<sup>rd</sup> level, City Hall):

- Pesticide Notification Program Survey to Applicators
- Results of Pesticide Applicator Survey
- Pesticide Notification Program Survey
- Results of Pesticide Notification Registrant Survey