

Appointment of Area Weed Inspectors 2007

Date:	March 21, 2007
To:	Parks and Environment Committee
From:	Brenda Librecz, General Manager, Parks, Forestry and Recreation
Wards:	All Wards
Reference Number:	

SUMMARY

The City is required to appoint one or more area weed inspectors by by-law, under subsection 6(1) of the *Weed Control Act*.

The purpose of the report is to amend By-law No. 383-2004 with respect to changes in appointments of area weed inspectors and identify the new area weed inspectors.

The report also recommends that Municipal Code Chapter 169, Officials, City, be amended to make the General Manager of Parks, Forestry and Recreation responsible for monitoring changes to the area weed inspectors' appointments. When the General Manager determines there is a need for a change, the General Manager is authorized to request the City Solicitor to submit the necessary bill directly to Council.

RECOMMENDATIONS

The General Manager of Parks, Forestry and Recreation Division recommends that:

1. City Council authorize the amendment of By-law No. 383-2004, to appoint area weed inspectors under the *Weed Control Act* and to repeal By-law No. 308-1998, "A By-law to appoint Weed Inspectors," to appoint David Chapman and Nancy Lowes as area weed inspectors and to revoke the appointments of Russell Warkman and Nancy Yarwood.

2. The City Clerk provides written notice to the Chief Weed Inspector as required under the *Weed Control Act*.
3. City Council authorizes the amendment of Municipal Code Chapter 169, Officials, and City, to provide that:
 - a. The General Manager of Parks, Forestry and Recreation is responsible for monitoring the need for changes to the City's area weed inspector appointments made by the by-law under the *Weed Control Act*; and
 - b. The General Manager may request the City Solicitor to submit the necessary bill directly to Council when the General Manager identifies the need to:
 - i. appoint an employee as an area weed inspector under the *Weed Control Act*;
 - ii. repeal the appointment of an area weed inspector as a result of changes in employment or duties; or
 - iii. to make technical amendments to current appointments (for example, to reflect a name change).

Financial Impact

There are no financial implications resulting from the adoption of this report.

ISSUE BACKGROUND

In 1998, the City passed By-law No. 308-1998, "A By-law to appoint Weeds Inspectors." This By-law appointed staff of the Parks and Recreation Division of Economic Development, Culture and Tourism, the Municipal Licensing and Standards Division of Urban Development Services and the Transportation Services Division of Works and Emergency Services, as "Municipal" weed inspectors as permitted under subsection 8(1) of the *Weed Control Act*.

The *Weed Control Act* was amended when the *Municipal Act, 2001* came into effect. Under the amended provisions, the City, as a "single tier municipality," could no longer appoint "Municipal" weed inspectors under subsection 8(1) but was required to appoint one or more "area" municipal weed inspectors by by-law under subsection 6(1) of the *Weed Control Act*.

The Ministry of Agriculture, Food and Rural Affairs has advised municipalities that the purpose of the *Weed Control Act* is to protect agricultural and horticultural land from noxious weeds, and that horticulture encompassed only commercial horticulture. These

interpretations limited the utility of the Act in dealing with noxious weeds in a built up urban area.

The City, as a single tier municipality, is required to appoint one or more area weed inspectors by by-law, under subsection 6(1) of the *Weed Control Act*. In 2004, staff of the Parks, Forestry and Recreation Division, the Municipal Licensing and Standards Division and the Transportation Services Division reviewed the City's need for area weed inspectors under the *Weed Control Act*. At this time, it was determined only staff of Parks and Recreation should be appointed as area weed inspectors. Remuneration of duties undertaken as an area weed inspector is included in the remuneration received as a City employee.

COMMENTS

The adoption of this report will allow the City to meet the requirements under the *Weed Control Act* with respect to changes in appointments of area weed inspectors and identification of new area weed inspectors in an expeditious manner.

CONTACT

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SIGNATURE

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