

**REPORT NO. 195** of the  
**ENVIRONMENT, TRANSPORTATION & PUBLIC SAFETY**  
**STANDING COMMITTEE**  
of its meeting held April 23, 2014

**Present:**                    **Councillor J. Gignac**  
                                  **Councillor A. Halberstadt**  
                                  **Councillor R. Jones**  
                                  **Councillor H. Payne**  
                                  **Councillor F. Valentinis, Chair**

That the following recommendations of the Environment, Transportation and Public Safety Standing Committee **BE APPROVED:**

Moved by Councillor Gignac, seconded by Councillor Halberstadt,

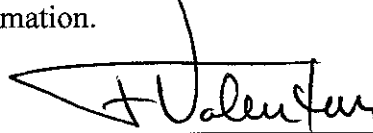
**THAT** Council **PASS** By-law 83-2014 to appoint By-law Enforcement Officers from the By-law Enforcement Unit of the Building Department and Parks Department Staff as shown on Appendix "A" as Area Weed Inspectors under the Weed Control Act to enforce provisions of the Weed Control Act in the City of Windsor, and

**THAT** the City Solicitor **BE AUTHORIZED** to prepare amendments to this By-law from time to time upon the written request of the Chief Building Official in order to reflect staff changes without the need for individual reports and approvals from City Council each time.

Carried.

**Livelihood #17113, AB2014**

Clerk's Note: The report authored by the Manager of By-law Enforcement dated March 24, 2014 entitled "*Appointment of Area Weed Inspectors under the Weed Control Act*" is attached as background information.



**CHAIRPERSON**



**SUPERVISOR OF COUNCIL SERVICES**

<b>NOTIFICATION:</b>				
<b>Name</b>	<b>Address</b>	<b>Email Address</b>	<b>Phone</b>	<b>FAX</b>
Mike Cowbrough, Chief Weed Inspector, OMAFRA		<a href="mailto:mike.cowbrough@ontario.ca">mike.cowbrough@ontario.ca</a>		

**THE CORPORATION OF THE CITY OF WINDSOR**  
**Environment, Transportation & Public Safety Standing Committee –**  
**Administrative Report**

**MISSION STATEMENT:**

*"Our City is built on relationships – between citizens and their government, businesses and public institutions, city and region – all interconnected, mutually supportive, and focused on the brightest future we can create together."*

<b>LiveLink REPORT #: 17113 AB2014</b>	<b>Report Date: March 24, 2014</b>
<b>Author's Name: Ann Kalinowski, Manager of By-law Enforcement</b>	<b>Date to Standing Committee: April 23, 2014</b>
<b>Author's Phone: 519 255-6100 ext. 1931</b>	<b>Classification #:</b>
<b>Author's E-mail: akalinowski@city.windsor.on.ca</b>	

**To: Environment, Transportation & Public Safety Standing Committee**

**Subject: Appointment of Area Weed Inspectors under the Weed Control Act.**

**1. RECOMMENDATION: City Wide:  Ward(s):**

THAT Council pass By-law \_\_\_-2014 to APPOINT By-law Enforcement Officers from the By-law Enforcement Unit of the Building Department and Parks Department Staff as shown on Appendix "A" as Area Weed Inspectors under the Weed Control Act to enforce provisions of the Weed Control Act in the City of Windsor, and that the City Solicitor be AUTHORIZED to prepare amendments to this By-law from time to time upon the written request of the Chief Building Official in order to reflect staff changes without the need for individual reports and approvals from City Council each time.

**EXECUTIVE SUMMARY:**

N/A

**2. BACKGROUND:**

On February 24, 2014 the Agriculture Development Branch of the Ministry of Agriculture and Food, Ministry of Rural Affairs sent a letter to all Clerks of County, District, Regions and other Municipalities reminding them of the municipality's mandatory statutory obligations to appoint area weed inspectors. The following requirements are found in the Weed Control Act, R.S.O. 1990, chapter W.5:

- *Section 6 (1) the council of every upper-tier and single-tier municipality shall by by-law appoint one or more persons as area weed inspectors to enforce the Act in the area within the council's jurisdiction and fix their remuneration or other compensation.*

- *Section 7 (1) the clerks of each upper-tier and single-tier municipality shall report the names of all area weed inspectors before April 1, 2014.*

There are no records of any previous City of Windsor Area Weed Inspector appointments.

### **3. DISCUSSION:**

The main purpose of the Weed Control Act, R.S.O. 1990, is to reduce the impact of noxious weeds on the industries of agriculture and horticulture. Primarily this Act applies to agricultural and horticultural lands that generate income or other benefits to agriculture; this generally excludes lawns, gardens and private areas for personal enjoyment.

However, By-law 3-2006, *a By-law to Establish Standards Respecting Yard Waste & Exterior Property Maintenance and to Prohibit Littering in the City of Windsor*, requires property owners to keep their grass and ground cover trimmed to a height of 12 inches or less and to remove and destroy all weeds which may apply to such situations.

In Ontario, 24 weeds are considered noxious under the Weed Control Act (as amended from time to time):

1. Common Barberry
2. European Buckthorn
3. Bull Thistle
4. Canada Thistle
5. Wild Carrot
6. Colt's Foot
7. Dodder
8. Goat's Beard
9. Johnson Grass
10. Knapweed
11. Milkweed
12. Nodding Thistle
13. Poison Hemlock
14. Poison Ivy
15. Proso Millet
16. Ragweed
17. Yellow Rocket
18. Russian Thistle
19. Scotch Thistle
20. Sow Thistle
21. Cypress Spurge
22. Leafy Spurge
23. Tuberous Vetchling
24. Giant Hogweed

OMAFRA is proposing an amendment to the Regulation in order to make two minor changes to the schedule of Noxious Weeds. The purpose is to remove Milkweed from the Schedule in the regulations and to add Dog-Strangling Vine.

From time to time there are staff changes within the By-law Enforcement Unit or the Parks Department. In order to keep the By-law appointing the Area Weed Inspectors current we are requesting that Council authorize the City Solicitor to prepare by-laws amending By-law XX-2014 to reflect such changes upon the written request of the Chief Building Official without the need for individual reports and approvals from Council each time.

#### **4. RISK ANALYSIS:**

By-law 3-2006, a *By-law to Establish Standards Respecting Yard Waste & Exterior Property Maintenance and to Prohibit Littering in the City of Windsor*, requires property owners to keep their grass and ground cover trimmed to a height of 12 inches or less and to remove and destroy all weeds which may apply to such situations. This By-law is enforced by By-law Enforcement Officers who ensure that grass, ground cover and weeds are being cut and destroyed, and that the risk impact to our Municipality is minimal.

The intent of the Weed Control Act is to reduce the infestation of noxious weeds that negatively impact lands, to reduce plant diseases by eliminating plant disease hosts and to reduce health hazards to livestock by poisonous plants. By-law Enforcement Officers already enforce By-law 3-2006 by ensuring grass and ground cover is cut to 12 inches or below and that weeds are removed and destroyed. Therefore it makes sense from an efficiency stand point that By-law Enforcement Officers be designated as Area Weed Inspectors under the Weed Control Act as a similar and related duty in their current portfolio. There are a limited number of Noxious Weeds in Windsor with poison ivy being the only one that has been an issue. Parks personnel will be administering the required training of the By-law Enforcement Officers so that they can enforce the Weed Control Act in Windsor. This training will take place in house at no cost. The staff from the Parks Department should also be appointed as Area Weed Inspectors for back up purposes.

#### **5. FINANCIAL MATTERS:**

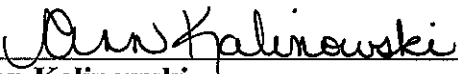
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#### **6. CONSULTATIONS:**

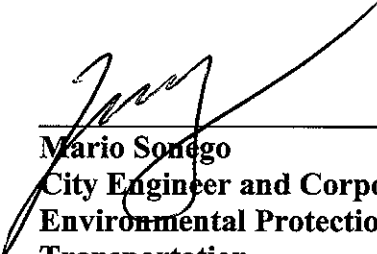
John Miceli, Executive Director of Parks & Facilities  
Bill Roesel, Manger, Forestry & Horticulture  
Paul Pratt, Naturalist

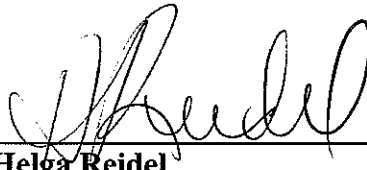
**7. CONCLUSION:**

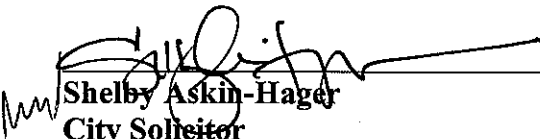
The intent of the Weed Control Act is to reduce the infestation of noxious weeds that negatively impact lands, to reduce plant diseases by eliminating plant disease hosts and to reduce health hazards to livestock by poisonous plants. Since By-law Enforcement Officers already enforce regulations under By-law 3-2006 it is being recommended that they be appointed as Area Weed Inspectors as mandated under the Weed Control Act in order to enforce the provisions of the Weed Control Act in Windsor.

  
 Ann Kalinowski  
 Manager of By-law Enforcement

  
 Lee Anne Doyle  
 Executive Director/Chief Building Official

  
 Mario Sonogo  
 City Engineer and Corporate Leader  
 Environmental Protection and  
 Transportation

  
 Helga Reidel  
 Chief Administrative Officer

  
 Shelby Askin-Hager  
 City Solicitor

AK: ak

**APPENDICES: Appendix "A" list of By-law Enforcement Officers and Parks Staff**

**DEPARTMENTS/OTHERS CONSULTED:**

**Name: Wira Vendrasco, Deputy City Solicitor**  
**Phone: 519-255-6100 x 6375**

<b>NOTIFICATION :</b>				
Name	Address	Email Address	Telephone	FAX
Mike Cowbrough, Chief Weed Inspector OMAFRA	3 <sup>rd</sup> Floor 1 Stone Road West Guelph, ON N1G 4Y2	Mike.cowbrough@ontario.ca	519-826-3318	519-826-3567

By-law Enforcement Officers

Andrew Wong  
Don Balino  
Jeff Bondy  
Dan Jenner  
Bart Pogorzelski  
Todd Hamilton  
Rocco Iacobelli  
Elizabeth Culmone  
Mario Bonas  
Micheal Desjardins  
Craig Robertson  
Bill Tetler

Parks Staff

Tom Preney  
Karen Cedar  
Paul Pratt  
Bill Roesel  
Jeff Burgess