

The following is a consolidated copy of Bylaw 2347 being “Regional District Weed Control Regulation Bylaw 2001” and includes the following bylaws:

BYLAW No.	BYLAW NAME	ADOPTED	PURPOSE
2347	Regional District Weed Control Regulation Bylaw 2001”	March 26, 2001	To eradicate noxious weeds located in Areas A, B, C and K.
2704	Regional District Weed Control Regulation Bylaw 2001”, Amendment Bylaw No. 1	Sept 27, 2004	Amends Schedule A by adding 7 more noxious weeds
2760	Regional District Weed Control Regulation Bylaw 2001”, Amendment Bylaw No. 2	Feb 23, 2005	Amends Schedule A by adding Dalmatian Toadflax
2774	Regional District Weed Control Regulation Bylaw 2001”, Amendment Bylaw No. 3	March 25, 2005	Amends Schedule A by adding Himalayan Blackberry

**This bylaw may not be complete due to pending updates or revisions and therefore is provided for reference purposes only. THIS BYLAW SHOULD NOT BE USED FOR ANY LEGAL PURPOSES. Please contact the corporate legislative officer at the Comox Valley Regional District to view the complete bylaw when required.**

**REGIONAL DISTRICT OF COMOX-STRATHCONA**

**BYLAW NO. 2347**

**A BYLAW TO REGULATE NOXIOUS WEEDS**

WHEREAS the Board of the Regional District of Comox-Strathcona adopted Bylaw No. 2346 being "Regional District Weed Control Service Establishment Bylaw 2001" on the 26<sup>th</sup> day of March, 2001;

AND WHEREAS under Section 797.1(1)(d) of the Local Government Act, a Regional District may exercise the regulatory powers of a municipality under Section 725(1)(e) of the Local Government Act to require the owners or occupiers of real property, or their agents, to clear the property of brush, trees, noxious weeds or other growths;

AND WHEREAS the Regional District deems the plants listed in Schedule 'A' to this Bylaw to be noxious weeds;

AND WHEREAS the Regional District wishes to enact a Bylaw to eradicate the noxious weeds listed in Schedule 'A' within Electoral Areas 'A', 'B', 'C' and 'K' of the Regional District of Comox-Strathcona;

NOW THEREFORE, the Board of the Regional District of Comox-Strathcona, in open meeting assembled, enacts as follows:

**1. CITATION**

This Bylaw may be cited for all purposes as the "**REGIONAL DISTRICT WEED CONTROL REGULATION BYLAW 2001**"

**2. DEFINITIONS**

In this Bylaw:

- a) Administration Officer means a person appointed under that title by the Board pursuant to its powers under the Local Government Act.
- b) Board means the Board of the Regional District of Comox-Strathcona
- c) Bylaw Enforcement Officer means a person appointed by or contracted by the Board to enforce this Bylaw.
- d) Occupier has the same meaning as in the Local Government Act.
- e) Owner has the same meaning as in the Local Government Act.
- f) Real property has the same meaning as in the Local Government Act.
- g) Regional District means the Regional District of Comox-Strathcona

### **3. PROHIBITION**

Every owner or occupier of real property in Electoral Areas ‘A’, ‘B’, ‘C’ and ‘K’ of the Regional District of Comox-Strathcona, or that person’s agent, shall ensure that his or her property be cleared of, and remain free from, all noxious weeds listed in Schedule ‘A’ to this Bylaw.

### **4. AUTHORIZED INSPECTION OFFICER**

A Bylaw Enforcement Officer or the Administration Officer is authorized to enter upon any real property within the Regional District at all reasonable times, after having given notice to the owner or occupier, for the purpose of inspecting the same property in order to ascertain whether noxious weeds listed in Schedule ‘A’ to this Bylaw are present.

### **5. NOTIFICATION TO OWNERS AND OCCUPIERS**

- 1) If the Administration Officer determines that there are noxious weeds present on any property within the Regional District, he or she shall notify the owner or occupier of such real property, by letter, to take steps to eradicate the weeds within fourteen (14) days of the date of the inspection.
- 2) If, after the expiry of 14 days from the date inspection, the noxious weeds have not been eradicated to the satisfaction of the Administration Officer and no appeal from the Administration Officer’s order has been filed, it shall be lawful for the Regional District, by its employees, agents or contractors, to enter upon such real property to eradicate the noxious weeds by any means necessary, at the expense of the person defaulting.

### **6. COSTS OF ERADICATION**

The charges incurred by the Regional District for eradicating the weeds, if unpaid on the 31<sup>st</sup> day of December in any year, shall be added to and form part of the taxes applicable in respect of such real property as taxes in arrears.

### **7. NOTICE**

Where notice is to be given pursuant to this bylaw, such notice shall be given in writing. Notice shall be deemed sufficiently delivered if:

- a) personally service upon the owner or occupier of the property affected by such notice; or
- b) mailed by registered mail to the address of the real property or the last known address of the owner or occupier, and subsequently signed for by or on behalf of the owner or occupier.

### **8. PENALTY**

Every person who contravenes a provision of this Bylaw commits an offence and is liable on summary conviction to the penalties prescribed by the Offence Act.

**9. SEVERABILITY**

If any provision of this Bylaw is found invalid by any court of competent jurisdiction, the offending portion shall be severed. Such decision shall not affect the validity of the remaining portions of this bylaw.

**10. HEADINGS**

The headings in this Bylaw are inserted for convenience and reference only and in no way define, limit or enlarge the scope of this bylaw or any portion thereof.

**11. COMING INTO FORCE**

This bylaw shall come into force and take effect on or after the date of its adoption.

**READ A FIRST AND SECOND TIME THIS      26<sup>TH</sup>                      DAY OF                      MARCH                      2001.**

**READ A THIRD TIME THIS                      26<sup>TH</sup>                      DAY OF                      MARCH                      2001.**

**ADOPTED THIS                                      26<sup>TH</sup>                      DAY OF                      MARCH                      2001.**

*“D.M. Andrews”*

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Chair

*“B. Randall”*

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Manager of Corporate Administration

I hereby certify the foregoing to be a true and correct copy of Bylaw 2347 being “Regional District Weed Control Regulation Bylaw 2001” as adopted by the Board of the Regional District of Comox-Strathocna on the 26<sup>th</sup> day of March, 2001.

*“B. Randall”*

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Manager of Corporate Administration

**REGIONAL DISTRICT OF COMOX-STRATHCONA**

**BYLAW NO. 2774 (AMENDMENT)**

**“REGIONAL DISTRICT WEED CONTROL REGULATION BYLAW 2001, AMENDMENT BYLAW NO. 3”**

**SCHEDULE ‘A’**

Purple Loosestrife	(Lythrum Salicaria)
Japanese Knotweed	(Polygonum cuspidatum)
Yellow Flag Iris	(Iris pseudacorus)
Spotted Knapweed	(Centaurea biersteinii)
English Ivy	(Hedera helix)
Giant Cow Parsnip (Hogweed)	Heracleum mantegazzianum)
Scotch Broom	(Cytisus scoparius)
Gorse	(Ulex europaeus)
Dalmatian Toadflax	(Linaria dalmatica)
Himalayan Blackberry	(Rubus discolor)