

Comparison of HRM's Pesticide Bylaw P-800 and the NS Provincial Pesticide Regulations

Keeping both is the best way to protect health and environment because the two levels of protection are complementary and each is essential. Items in **green print** provide greater health protection.

<p>Halifax Regional Municipality Pesticide Bylaw: http://www.halifax.ca/legislation/bylaws/hrm/blp-800.pdf</p>	<p>Provincial Non Essential Pesticide Control Act. http://nslegislature.ca/legc/sol.htm (Act) and (Regulations) http://www.gov.ns.ca/just/regulations/rxam-z.htm#non</p>
<p>HRM has Pre-Signage: Pre-Signage is the most important aspect of our bylaw for those with life threatening symptoms to landscape pesticides (other than a total ban). It allows these individuals to be safe in their homes. They include vulnerable populations like pregnant mothers, the unborn, children, the chronically ill, the elderly, pets, and the pesticide sensitive. These groups need to avoid pesticide drift by leaving their homes <i>prior</i> to nearby spraying. Signs are posted 24 hours in advance and left up 4 days so these individuals can avoid persistent pesticide vapours and drift.</p>	<p>No Pre-Signage. Without pre-signage many will have already been exposed by the time the sign goes up. This could be fatal for some and has previously left many citizens chronically ill for years.</p> <p>The inadequate provincial signage rules have not been improved. Only small signs, with hard to read print and poor weather resistance, are required by the province; these are put up after the event and taken down early.</p>
<p>Buffer Zones -The HRM has pesticide free buffer zones around “a property containing any school, licensed day care centre, park, playground, licensed senior citizens’ residence, university, church or hospital.”</p>	<p>Buffer Zones - The province has no such buffer zones. Note: <i>Neither law has any provision for buffer zones for wellhead protection to protect drinking water wells or reservoirs.</i></p>
<p>Effectiveness - Despite not having jurisdiction over sales and commercial properties, there has been a huge reduction in pesticide use on municipal & most residential properties (i.e., a steady reduction in compliance problems). Stability – a public hearing is customary and appropriate for any proposed changes to the bylaw.</p>	<p>Effectiveness – Yet to be determined, but annual audits show that compliance problems are <i>increasing</i> each year. Pesticides sales are now approved at 38 locations. Low Stability - regulations could easily be reversed at any time without public hearings. This is a possibility with any change in government.</p>
<p>The list of allowable materials in Administrative Order 23 has been guided successfully by the Organic Materials Review Institute’s (OMRI) Approved Materials List for the last decade. Allowable Materials can be easily updated or changed if needed without affecting the Pesticide bylaw itself.</p>	<p>The allowable list of less toxic products is based on Health Canada’s Pest Management Regulatory Agency’s less toxic products list; their history and policies regarding safer materials have provided inadequate health protection in the past. Can only be changed by Provincial government.</p>
<p>Permitting System The HRM benefits from the permitting system that has been used for over a decade. It has lowered pesticide usage and encouraged proper identification of pests, education about alternatives and proper pest management, as well as the dangers of pesticide use. Education is site specific, especially important and absolutely necessary in high-density population areas like cities and towns. The Pesticide By-law has a proven success record: “Permit applications have fallen approximately ten-fold since 2003 to 440 in 2008, and complaints have fallen almost 20-fold in the same period. HRM’s effort has shifted from permitting and enforcement towards education and awareness” (Staff Report.)</p>	<p>No Permitting System Decisions to approve the sale of pesticide products not on the allowable list are up to the buyer (who will be given a pamphlet regarding exceptions). Therefore decisions are made by companies that profit from the sale or use of pesticides. Anyone, landscaper or resident, can buy a toxic product if they think they have an exceptional pest. The definitions of “exception” are vague and need tightening. All NS municipalities have the right to make stronger regulations than those passed by the province. An example would be requiring pre-signage and notification in their bylaws. Education - Success yet to be determined, but unlike the HRM, education will be without the benefit of an inspector seeing the actual property and therefore cannot be site specific.</p>
<p>Areas affected – lawns, outdoor trees, shrubs, flowers, and other ornamental plants on residential and municipal properties. All herbicides are explicitly prohibited. Does not include Commercial properties.</p>	<p>Areas affected - It was a 2-year phase in. Regulations did not include trees and shrubs until 2012. Involuntary pesticide exposures can drift from nearby vegetable gardens which are still unprotected. All properties are included: municipal, commercial & residential.</p>
<p>Notification: Requirements read, “The owner of a property, prior to carrying out a pesticide application on the owner’s property ... shall notify the owner of ... any property all or a part of which is within a 50 metre radius of the property to which the pesticide application is to be made, received within 5 days of the proposed application.” This requirement is important in densely populated areas where one lawn could affect many in nearby homes and apartments.</p>	<p>Notification: Advance notice is required only of landscapers and for next-door neighbors who have specifically requested notification. Therefore there is incomplete protection for vulnerable populations to avoid exposure to pesticides. HRM’s Pesticide Bylaw Advisory Committee documented numerous adverse reactions to drifting pesticides applied four houses away. Chart by ratens.ca Feb 18, 2011, Updated July 2, 2014.</p>