
**SQUAMISH-LILLOOET REGIONAL DISTRICT
BYLAW NO. 1542-2017**

A bylaw of the Squamish-Lillooet Regional District, in the Province of British Columbia,
to prohibit the accumulation of noxious weeds on private property and provide for the
recovery of the cost of abatement of such noxious weeds

WHEREAS the Squamish-Lillooet Regional District has established an invasive species management and control service pursuant to Squamish-Lillooet Regional District Invasive Species Management and Control Service Establishment Bylaw No. 1541-2017, and;

AND WHEREAS pursuant to the *Local Government Act*, a Board may prohibit persons from causing or permitting noxious weeds to become established, collect or accumulate around their premises, and provide for the recovery of costs of abatement of such noxious weeds;

AND WHEREAS it is deemed advisable and expedient for the protection of the Squamish-Lillooet Regional District's environment, social values and economy from noxious weeds that such powers be exercised and necessary and sufficient regulatory measures be enacted;

NOW THEREFORE, the Regional Board of the Squamish-Lillooet Regional District, in an open meeting assembled, enacts as follows:

1.0 Citation

- 1.1 This bylaw may be cited for all purposes as the "Squamish-Lillooet Regional District Noxious Weeds Control Bylaw No. 1542-2017".

2.0 Geographic Area

- 2.1 This bylaw applies to all of Electoral Areas A, B, C and D as defined in the Letters Patent of the Squamish-Lillooet Regional District and amendments thereto.

3.0 Definitions

- 3.1 Within this bylaw, the following definitions apply:

"Bylaw Control Officer" means persons acting as designated bylaw enforcement officers as defined in the Squamish-Lillooet Regional District Bylaw Notice Enforcement Bylaw No. 1447-2016 as amended from time to time;

"Control Area" means the part of the Regional District described in the

Geographic Area section of this bylaw;

“Noxious Weeds” means any part, seeds, or propagule of species named in Schedule ‘A’ and Schedule ‘B’ attached to this bylaw;

“Occupier” means a person who

(a) is in physical possession of land, premises or property, or

(b) is responsible for and has control over the condition of, the activities conducted on and the persons allowed to enter or use, land, premises or property;

“Owner” means the person or persons, including a corporation or company, registered in the records of a land title office as owner in fee simple of a Real Property or, where there is a registered agreement for sale and purchase of the Real Property, the registered agreement for sale and purchase, and includes that person’s authorized agent;

“Real Property” means lands, premises, buildings, structures and other improvements affixed to the land;

“Regional Board” means the Squamish-Lillooet Regional District Board;

“Regional District” means the Squamish-Lillooet Regional District.

4.0 Regulation

- 4.1 Every Owner or Occupier of Real Property within the Control Area shall ensure that his or her real property be cleared of and remain free from all Noxious Weeds.

5.0 Authority

- 5.1 A Bylaw Control Officer is authorized to enter upon any Real Property within the Control Area at any time during daylight hours, for the purpose of inspecting the Real Property in order to ascertain whether Noxious Weeds are present.

6.0 Notification to Owners and Occupiers

- 6.1 If the Bylaw Control Officer determines that there are Noxious Weeds present on any Real Property within the Control Area, he or she may serve written notice to the Owner of such Real Property, to control the Noxious Weeds in such a manner as set out in the written notice within fourteen (14) days of their receipt of such notice.
- 6.2 If, after the expiry of fourteen (14) days from receipt of the written notice, the Noxious Weeds have not been treated as set out in the written notice and no appeal from the Bylaw Control 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 control the Noxious Weeds by any means necessary, at the expense of the Owner of the Real Property.

7.0 Costs of Controlling Noxious Weeds

7.1 The actual costs incurred by the Regional District for controlling the Noxious Weeds, if unpaid on the 31st day of December in the year in which the costs were incurred by the Regional District, shall be added to and form part of the taxes applicable in respect of such Real Property as taxes in arrears as per sections 418 and 399 of the *Local Government Act*.

8.0 Notice

- 8.1 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 served upon the Owner of the Real Property that is the subject of the notice; or
 - b) mailed by registered mail to the last known address of the owner of the Real Property.

9.0 Offence and Penalty

- 9.1 Refusal by any Owner or Occupier of Real Property to permit or allow the bylaw Control Officer or any other Regional District employee or contractor to enter onto the property for the purpose of controlling the Noxious Weeds as specified in the notice served in accordance with this bylaw shall constitute a violation under this bylaw.
- 9.2 Any person who violates any of the provisions of this bylaw or who suffers or permits any act or thing to be done in contravention of this bylaw, or who refuses, or omits or neglects to fulfill, observe, carry out or perform any duty of obligation imposed by this bylaw, is guilty of an offence and
- a) Pursuant to the *Local Government Act* or the *Offence Act* or both shall be liable on summary conviction to:
 - (i) a fine not exceeding two thousand dollars (\$2,000.00), imprisonment of not more than 6 months, or both,
 - (ii) the costs of prosecution, and
 - (iii) any other penalty or remedy imposed or permissible pursuant to an enactment;

- b) the penalties and remedies imposed under subsection a) shall be in addition to and not in substitution for any other penalty or remedy imposed by or permissible under this bylaw or any other enactment; and
- c) each day that a violation is caused or allowed to continue constitutes a separate offence under this bylaw.

10.0 Severability

10.1 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.

11.0 Headings

11.1 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.

READ A FIRST TIME this	23 rd day of	August, 2017
READ A SECOND TIME this	23 rd day of	August, 2017
READ A THIRD TIME this	23 rd day of	August, 2017
ADOPTED this	day of	, 2017

Jack Crompton
Chair

Kristen Clark
Corporate Officer

Squamish Lillooet Regional District
Bylaw No. 1542-2017

SCHEDULE 'A'

All Noxious Weeds identified in Schedule A of the Weed Control Regulation of the *Weed Control Act*, as amended from time to time.

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SCHEDULE 'B'

The following Invasive Plant Species identified as priorities by the Sea to Sky Invasive Species Council or the Lillooet Regional Invasive Species Society as amended from time to time. For greater certainty, the Sea to Sky Invasive Species Council or the Lillooet Regional Invasive Species Society may amend their list of priority species on an annual basis which will be added to and form part of this bylaw.

The identified species are in addition to those identified in Schedule A and currently include:

Common Name	Scientific Name
Baby's breath	<i>Gypsophila paniculata</i>
Black henbane; stinking nightshade	<i>Hyoscyamus niger</i>
Carpet burweed	<i>Soliva sessilis</i>
Common dead-nettle	<i>Lamium amplexicaule</i>
Corn-spurry	<i>Spergula arvensis</i>
Eurasion water-milfoil	<i>Myriophyllum spicatum</i>
Field scabious	<i>Knauttia arvensis</i>
Garden yellow loosestrife	<i>Lysimachia vulgaris</i>
Jimsonweed	<i>Datura stramonium</i>
Kudzu	<i>Pueraria lobata</i>
Large periwinkle	<i>Vinca major</i>
Marsh thistle	<i>Cirsium palustre</i>
Meadow knapweed	<i>Centaurea x moncktonii</i>
Pacific jewelweed	<i>Impatiens capensis</i>
Parrotweed; Parrotfeather	<i>Myriophyllum aquaticum</i>
Poison hemlock	<i>Conium maculatum</i>
Puncture vine	<i>Tribulus terrestris</i>
Russian knapweed	<i>Acroptilon repens</i>
Scotch thistle	<i>Onopordum acanthium</i>
Teasel	<i>Dipsacus fullonum</i>
Whiplash hawkweed	<i>Hieracium flagellare</i>
Wild chervil	<i>Anthriscus sylvestris</i>
Wild clematis; Traveller's joy	<i>Clematis vitalba</i>
Common bugloss	<i>Anchusa officinalis</i>
Curled pondweed	<i>Potamogeton crispus</i>
Cypress spurge	<i>Euphorbia cyparissias</i>

Daphne laurel, spurge laurel	<i>Daphne laureola</i>
Flat pea	<i>Lathyrus sylvestris</i>
Spanish Broom	<i>Cytisus multiflorus</i>
Blueweed	<i>Echium vulgare</i>
Butterfly bush	<i>Buddleja davidii</i>
Common comfrey	<i>Symphytum officinale</i>
Cutleaf evergreen blackberry	<i>Rubus laciniatus</i>
English holly	<i>Ilex aquifolium</i>
English ivy & varieties	<i>Hedera helix</i> + <i>Helix</i> varieties
Himalayan blackberry	<i>Rubus armeniacus</i>
Hoary alyssum	<i>Berteroa incana</i>
Policeman's helmet; Himalayan balsam	<i>Impatiens glandulifera</i>
Scotch broom	<i>Cytisus scoparius</i>
Smallflower touch-me-not	<i>Impatiens parviflora</i>
Sulphur cinquefoil	<i>Potentilla recta</i>
Yellow lamium, yellow archangel	<i>Lamium galeobdolon</i>
Common periwinkle	<i>Vinca minor</i>
Orange hawkweed	<i>Hieracium aurantiacum</i>
Wormwood	<i>Artemisia absinthium</i>
Night-flowering catch fly	<i>Silene noctiflora</i>
Ribbon grass	<i>Phalaris arundinacea</i> var. <i>Castor</i> or <i>Feezey</i>
Bachelor's button	<i>Centaurea cyanus</i>
Creeping buttercup	<i>Ranunculus repens</i>
Dodder	<i>Cuscuta</i> spp.
Mountain bluet	<i>Centaurea montana</i>
Russian olive	<i>Elaeagnus angustifolia</i>
Tall hawkweed	<i>Hieracium piloselloides</i>
Yellow hawkweed	<i>Hieracium pratense</i>